



CRL OP(MD). No.9436 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 27/06/2024

PRESENT

The Hon`ble Mr.Justice B.PUGALENDHI

CRL OP(MD). No.9436 of 2024

1. K.Venkatesh
2. M.Muthu @ Muthukumar
3. M.Venkatesh
4. C.Ganesan

... Petitioners/ Accused Nos. 1 to 4

Vs

The Inspector of Police,
Kumbakonam West Police Station
Thanjavur District.
Crime No.309/2024.

... Respondent/ Complainant

For Petitioner : Mr.Dhilipan Pandian R.L.Advocate

For Respondent : Mr.M.Sakthi Kumar,
Government Advocate (Crl.Side)

PETITION FOR ANTICIPATORY BAIL Under Sec.438 of Cr.P.C

PRAYER :-

For Anticipatory Bail in Crime No.309/2024 on the file of the respondent Police



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ORDER : The Court made the following order :-

The petitioners, apprehending arrest at the hands of the respondent Police, in connection with a case in Crime No.309 of 2024, for the offence punishable under Sections 294(b), 324 and 506(ii) IPC, have filed this petition seeking anticipatory bail.

2. The case of the prosecution is that due to previous enmity, on 17.06.2024, the petitioners have abused the defacto complainant and threatened him with dire consequences. Hence, the case.

3. The learned counsel appearing for the petitioners submits that the petitioners are innocent persons and they have not committed any offence as alleged by the prosecution. Hence, he prays for grant of anticipatory bail to the petitioners.

4. The learned Government Advocate (Crl.Side) appearing for the respondent Police submits that it is a dispute among the children and of the petitioners and the defacto complainant. Subsequently, the dispute was developed and it is the reason for the occurrence. He further submits that the fourth accused/fourth petitioner is having five previous cases to his credit.



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5. Considering the facts and circumstances of the case and also considering the antecedent of the petitioner Nos.1 to 3, this Court is inclined to grant anticipatory bail to the petitioner Nos.1 to 3. However, considering the antecedent of the fourth petitioner, this Court is not inclined to grant any relief to him.

6. Accordingly, this Criminal Original Petition is partly allowed. Insofar as the fourth petitioner is concerned, this petition is dismissed. The petitioner Nos.1 to 3 are ordered to be released on bail in the event of their arrest or on their appearance within a period of fifteen days from the date of receipt of a copy of this order, before the concerned learned Judicial Magistrate on condition that

(i) the petitioner Nos.1 to 3 shall execute a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand) each, with two sureties each for a like sum to the satisfaction of the learned Judicial Magistrate No.I, Kumbakonam, Thanjavur District.

(ii) The petitioner Nos.1 to 3 and the sureties shall submit a copy of their Aadhaar Card or any other identity card issued by the government in proof of their residence address;

(iii) The petitioner Nos.1 to 3 shall appear before the respondent police daily at

<https://www.mhc.tn.gov.in/judis>



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10.30 am until further orders for interrogation. They have to co-operate for the investigation.

(iv) The petitioner Nos.1 to 3 shall not misuse the liberty granted to them by indulging in any further offence and shall not tamper with the prosecution witnesses.

(v) On violation of any of the above conditions by the petitioner Nos.1 to 3, the respondent police shall move an application for cancellation of the anticipatory bail.

sd/-
27/06/2024

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/07/2024
Sub-Assistant Registrar
(C.S.I /II /III /IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

LR

TO

- 1 THE JUDICIAL MAGISTRATE NO.I
KUMBAKONAM.
- 2 DO-THROUGH :
THE CHIEF JUDICIAL MAGISTRATE,
THANJAVUR DISTRICT @ KUMBAKONAM.
- 3 THE INSPECTOR OF POLICE
KUMBAKONAM WEST POLICE STATION
THANJAVUR DISTRICT.



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4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.R.L.DHILIPAN PANDIAN, Advocate (SR-7153[I] dated 01/07/2024)

ORDER
IN
CRL OP(MD) No.9436 of 2024
Date :27/06/2024

PKP/JGB/SAR /05.07.2024/ 5P/ 6C

Madurai Bench of Madras High Court is issuing certified
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