



CRL OP(MD). No.9516 of 2024

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 01/07/2024

PRESENT

The Hon`ble Mr.Justice A.A.NAKKIRAN

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1. Raja,
2. Sangeetha,
3. Manikandan,
4. Suresh, @ Koiya Suresh
5. Nagaraj, ... Petitioners/ Accused No.1,2 & 5,6,7

Vs

The Inspector of Police,
Kollidam Police Station,
Trichy District.
(Crime No.126/2024).

... Respondent/Complainant

For Petitioners : Mr.A.Azhageson,
Advocate.

For Respondent : Mr.R.M.Anbunithi,
Additional Public Prosecutor

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



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PRAYER:-

For Anticipatory Bail in Crime No.126/2024 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioners/accused, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 147, 148, 448, 427, 294(b), 323, 324, 379 and 506(2) IPC in Cr.No.126 of 2024, seek anticipatory bail.

2.The case of the prosecution is that due to business motive, the petitioners herein have attacked the defacto complainant with wood and stone and also abused him in filthy language. Hence the complaint.

3.The learned counsel for the petitioners would submit that the petitioners are innocent and they have not committed any offence as alleged by the prosecution and their names have been falsely implicated in this case.

4.The learned Additional Public Prosecutor would submit that it is a case and counter case and the injured was discharged from the hospital. He would further submit that the investigation of the case is pending.



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5.Considering the facts and circumstances of the case and also considering the fact that the injured was already discharged from the hospital, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

6.Accordingly, the petitioners are ordered to be released on bail in the event of their arrest or their appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned District Munsif – Cum - Judicial Magistrate, Srirengam, Thiruchirappalli District, on condition that the petitioners shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each with two sureties, each for a like sum to the satisfaction of the respondent Police or to the Police Officer, who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further conditions that:

a) the petitioners and the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

(b) the petitioners shall report before the respondent police daily at 10.30 am until further orders.

(c) the petitioners shall not tamper with evidence or witness either during investigation or trial;



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(d) the petitioners shall not abscond either during investigation or trial;

(e) on breach of any of the aforesaid conditions, the learned Magistrate/ Trial

Court is entitled to take appropriate action against the petitioners in accordance

with law as if the conditions have been imposed and the petitioners released on bail

by the learned Magistrate/ Trial Court himself as laid down by the Hon'ble Supreme

Court in *P.K.Shaji Vs. State of Kerala [(2005) AIR SCW 5560]*; and;

(f) if the accused thereafter abscond, a fresh FIR can be registered under Section

229-A IPC.

sd/-

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Sub-Assistant Registrar

(C.S. I / II / III / IV)

Madurai Bench of Madras High Court,

Madurai - 625 023.

TRP

TO

1 THE DISTRICT MUNSIF CUM
JUDICIAL MAGISTRATE, SIRENGAM,
THIRUCHIRAPPALLI DISTRICT.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
TIRUCHIRAPPALLI DISTRICT.

3 THE INSPECTOR OF POLICE
KOLLIDAM POLICE STATION, TRICHY DISTRICT.



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

ORDER
IN
CRL OP(MD) No.9516 of 2024
Date :01/07/2024

SS/GS/SAR- /05/07/2024/5P/5C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17/07/2023