



CRL OP(MD). No.9539 of 2024

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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. Mohanraj,

2. Jeyaraj,

... Petitioners/ Accused Nos.1 & 2

Vs

The Inspector of Police,
Thattarmadam Police Station,
Thoothukudi District.
Crime No. 80 of 2024.

... Respondent/ Complainant

For Petitioners : M/s Mathavaselvam.R,Advocate.

For Respondent : M.R.M.Anbunithi,

Additional Public Prosecutor

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

PRAYER :-

For Anticipatory Bail in Crime No. 80 of 2024 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioners/accused, who apprehend arrest at the hands of the respondent

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police for the offences punishable under Sections 447, 294(b), 506(i) and 427 IPC in Crime.No.80 of 2024, seek anticipatory bail.

2.The case of the prosecution is that due to civil dispute, the petitioners herein have attacked the defacto complainant with stone and stick 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 the second petitioner is having one previous case and the injured was discharged from the hospital. He would further submit that the investigation of the case is pending.

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.



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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 Judicial Magistrate, Sathankulam, Thoothukudi 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 for a period of two weeks and thereafter, as and when required for interrogation;

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

(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

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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/-
01/07/2024

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

TRP
TO

- 1 THE JUDICIAL MAGISTRATE,
SATHANKULAM, THOOTHUKUDI.
- 2 DO THROUGH:
THE CHIEF JUDICIAL MAGISTRATE,
THOOTHUKUDI DISTRICT.
- 3 THE INSPECTOR OF POLICE
THATTARMADAM POLICE STATION,
THOOTHUKUDI DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.



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+1. CC to M/S MATHAVASELVAM.R Advocate SR.No.31981(F)dt; 03/07/2024

ORDER
IN

CRL OP(MD) No.9539 of 2024

Date :01/07/2024

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

Madurai Bench of Madras High Court is issuing certified
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