



CRL OP(MD). No.9663 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

( Criminal Jurisdiction )

Date : 02/07/2024

PRESENT

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

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1. Arun @ Arun Lourth Raj Vetha Arul James,

2. Prabhu @ Prabakaran Subbaiya,

... Petitioners/ Accused  
Rank Not Known

Vs

The Inspector of Police,  
Melavalavu Police Station,  
Madurai District.  
in Crime No.142 of 2024,

... Respondent/ Complainant

For Petitioners: Mr.P.Praveenkumar,  
Advocate.

For Respondent : Mr.M.Vaikkam Karunanithi,  
Government Advocate (Crl.Side)

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

PRAYER :- For Anticipatory Bail in Crime No.142 of 2024 on the file of the  
Respondent Police.

ORDER : The Court made the following order :-

The petitioners/Rank Not Known, who apprehend arrest at the hands of the



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respondent police for the offences punishable under Sections 294(b), 342, 323, 324, 363, and 506(ii) of IPC, in Cr.No.142 of 2024, seek anticipatory bail.

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2.The case of the prosecution is that due to money and land dispute between the accused and the defacto complainant & his friend, on 22.06.2024, at about 06.00 p.m, the accused persons, kidnapped the defacto complainant and his friend namely, Vigneswaran and abused them in filthy language and assaulted them and also illegally detained them in a farm house. Hence, the complaint.

3.The learned counsel for the petitioners would submit that the petitioners are innocent and they have been falsely implicated in this case. He would further submit that the injured was discharged from the hospital and no previous case is pending against them. Hence, he prays for grant of anticipatory bail to the petitioners.

4.The learned Government Advocate (Crl.Side) would submit that at the time of filing of this petition, petition enquiry is pending. After enquiry, now case has been registered against the accused in Crime No.142 of 2024. He would further submit that the injured was discharged from the hospital and no previous case is pending against the petitioners.

5.Considering the facts and circumstances of the case and also considering the facts that the injured was discharged from the hospital and no previous case is pending against him, 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, Melur, 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 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 a.m, 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 learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme



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

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(f)if the accused thereafter abscond, a fresh FIR can be registered under Section 229-A IPC.

sd/-  
02/07/2024

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

DSS  
TO

1 THE JUDICIAL MAGISTRATE,  
MELUR.

2 DO THROUGH THE CHIEF JUDICIAL  
MAGISTRATE, MADURAI DISTRICT.

3 THE INSPECTOR OF POLICE,  
MELAVALLAVU POLICE STATION,  
MADURAI DISTRICT.

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

+1 CC to M/s.P.PRAVEENKUMAR, Advocate ( SR-7343[I] dated 03/07/2024 )  
<https://www.mhc.tn.gov.in/judis>



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ORDER  
IN  
CRL OP(MD) No.9663 of 2024  
Date :02/07/2024

SA/JGB/SAR. /12.07.2024/5P/6C

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