



CRL OP(MD). No.9820 of 2024

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 04/07/2024

PRESENT

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

CRL OP(MD). No.9820 of 2024

1. Raguraman Raja,

2. K.Manikandan,

... Petitioners/ Accused Rank Not Known

Vs

The Inspector of Police,
Kumbakonam West Police Station,
Thanjavur,
Crime No.314/2024.

... Respondent/ Complainant

Vignesh

... Petitioner/ Intervenor

In CrI.MP(MD).6789/2024 in CrI.OP(MD).9820/2024

For Petitioners : Mr.K.C.Maniyarasu,
Advocate.

For Respondent : Mr.K.SANJAI GANDHI,
Government Advocate (CrI.Side)

For Intervenor : Mr.V.VISHNU, Advocate

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



CRL OP(MD). No.9820 of 2024

PRAYER :- For Anticipatory Bail in Crime No.314/2024 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 police for the offences punishable under Sections 294(b), 324 and 386 IPC, 1860 in Crime No.314 of 2024, seek anticipatory bail.

2.The case of the prosecution is that when the defacto complainant, who is an Advocate, talking with his client, two unknown persons came to that place and tried to attack him with knife and also also grabbed the amount which he received from his client. 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 and seeks anticipatory bail.

4. The learned counsel for the intervenor submitted that the petitioners herein have threatened the defacto complainant with knife point and also stolen the bike and the entire incident is recorded in CCTV footage and hence, he strongly opposed to grant anticipatory bail to the petitioners.

5. The learned Government Advocate(Crl.Side) would submit that now, the injured was discharged from the hospital. He would further submit that investigation of the case is pending and hence, he strongly opposed to grant anticipatory bail to the



CRL OP(MD). No.9820 of 2024

petitioners.

WEB COPY

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

7.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 No.I, Kumbakonam, 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;



CRL OP(MD). No.9820 of 2024

(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/-
04/07/2024

/ TRUE COPY /

/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 NO.I,
KUMBAKONAM.

2 DO THROUGH THE CHIEF JUDICIAL
MAGISTRATE, THANJAVUR DISTRICT AT KUMBAKONAM.

3 THE INSPECTOR OF POLICE,
KUMBHAKONAM WEST POLICE STATION, THANJAVUR.

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

MADURAI

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



CRL OP(MD). No.9820 of 2024

+1 CC to M/s.K.C.MANIYARASU, Advocate (SR-7437[I] dated 04/07/2024)

ORDER
IN
CRL OP(MD) No.9820 of 2024
Date :04/07/2024

SA/VR/SAR. /16.07.2024/5P/6C

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