



CRL OP(MD). No.10028 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 08/07/2024

PRESENT

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

CRL OP(MD). No.10028 of 2024

1. Rajesh Kumar,

2. Arun Kumar,

... Petitioners/ Accused 3 & 17

Vs.

The Inspector of Police,
Kallimandiyam Police Station,
Dindigul District.
Crime No. 165/2024.

... Respondent/Complainant

For Petitioners : M/s. Venkatesh.D,
Advocate.

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

PRAYER :- For Anticipatory Bail in Crime No. 165 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 police for the offences punishable under Sections 147, 341 and 353 IPC in Crime No.165 of 2024, seek anticipatory bail.



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2.The case of the prosecution is that when the Government officials doing their duty at Aralikuthukulam, the petitioners and other accused have prevented them from doing their duty. Hence the complaint.

3.The learned counsel for the petitioners would submit that the petitioners are innocents and they have not committed any offence as alleged by the prosecution and seeks anticipatory bail.

4.The learned Government Advocate(Crl.Side) would submit that the petitioners prevented the Government officials from doing their duty. He would further submit that investigation of the case is pending and hence, he strongly opposed to grant anticipatory bail to the petitioners. He would also submit that co-accused in this case were granted anticipatory bail by this Court in Crl.O.P.(MD) No.9869 of 2024 on 04.07.2024.

5.Considering the facts and circumstances of the case and also considering the nature of allegations made against the petitioners and the fact that co-accused were already granted anticipatory bail, 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, Ottanchathiram, Dindigul 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



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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/-
08/07/2024

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

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TO

- 1 THE JUDICIAL MAGISTRATE,
OTTANCHATHIRAM, DINDIGUL DISTRICT.
 - 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
DINDIGUL DISTRICT.
 - 3 THE INSPECTOR OF POLICE
KALLIMANDIYAM POLICE STATION, DINDIGUL DISTRICT.
 - 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- +1 CC to M/s.D.VENKATESH, Advocate (SR-7642[I] dated 09/07/2024)



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ORDER
IN
CRL OP(MD) No.10028 of 2024
Date :08/07/2024

SS/GS/SAR- /18/07/2024/5P/6C

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