



CRL OP(MD). No.9997 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.9997 of 2024

P.Maharasa @ Maharaja

... Petitioner/ Accused No.10

Vs

The Inspector of Police,
Kovilpatti West Police Station,
Thoothukudi District,
Crime No.237/2024

... Respondent/ Complainant

For Petitioner : M/s.G.Sarath Kumar, Advocate.

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

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

PRAYER :-

For Anticipatory Bail in Crime No.237/2024 on the file of the respondent police

ORDER : The Court made the following order :-

The petitioner/accused, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 147, 148, 294(b), 323, 307 and 506(2) IPC in Crime.No.237 of 2024, seeks anticipatory bail.

2.The case of the prosecution is that due to previous motive, the petitioners herein and other accused are picked quarrel with defacto complainant and also attacked him with Aruval and also threatened the defacto complainant with dire consequences. Hence, the complaint.



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3.The learned counsel for the petitioner would submit that the petitioner is innocent and he has not committed any offence as alleged by the prosecution and his name has been falsely implicated in this case and seeks anticipatory bail.

4.The learned Additional Public Prosecutor would submit that the injured was discharged from the hospital. He would further submit that the petitioner is having one previous case and the investigation of the case is pending and hence, he strongly opposed to grant bail to the petitioner.

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

6.Accordingly, the petitioner is ordered to be released on bail in the event of arrest or his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate No.II, Kovilpatti, Thoothukudi District, on condition that the petitioner shall execute a bond for a sum of Rs.10,000/-(Rupees Ten Thousand only) 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 petitioner and the sureties shall affix their photographs and left thumb



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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 petitioner shall stay at Vilathikulam and report before Inspector of Police, Town Police Station, Vilathikulam daily at 10.30 am until further orders;

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

(d) the petitioner 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 petitioner in accordance with law as if the conditions have been imposed and the petitioner 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 absconds, 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.

TRP

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1 THE JUDICIAL MAGISTRATE NO.II, KOVILPATTI.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
THOOTHUKUDI DISTRICT.

3 THE INSPECTOR OF POLICE, KOVILPATTI WEST POLICE STATION,
THOOTHUKUDI DISTRICT.

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

COPY TO

THE INSPECTOR OF POLICE
TOWN POLICE STATION, VILATHIKULAM.

+1 CC to M/s.G.SARATH KUMAR, Advocate (SR-7623[I] dated 08/07/2024)

ORDER

IN

CRL OP(MD) No.9997 of 2024

Date :08/07/2024

RS/VR/SAR-(18.07.2024) 4P 7C

Madurai Bench of Madras High Court is issuing
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