



CRL OP(MD). No.10411 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

( Criminal Jurisdiction )

Date : 12/07/2024

PRESENT

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

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Manohar,

... Petitioner/ Accused No.4

Vs

The Inspector of Police,  
K.Pudupatti Police Station,  
Pudukkottai District.  
Cr.No.82/2024.

... Respondent/ Complainant

For Petitioner : M/s.Balasubramanian.N,  
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.82/2024 on the file of the Respondent police.

ORDER : The Court made the following order :-

The petitioner/ A4, who apprehends arrest at the hands of the respondent police

for the offences punishable under Sections 294(b), 323 and 506(1) of IPC and Section 4

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of Tamil Nadu Prohibition of Harassment of Women Act, in Cr.No.82 of 2024, seeks anticipatory bail.

2.The case of the prosecution is that the husband of the defacto complainant died on 15.06.2024. On 16.06.2024, one Sadhappan was coming for attending her husband's funeral. When the same was prevented by the petitioner and other accused. When the same was questioned by the defacto complainant, they are said to have abused her in filthy language and the above said Sadhappan and attacked them with their hands. Hence, the complaint.

3.The learned counsel for the petitioner would submit that the petitioner is innocent and he has been falsely implicated in this case. He would further submit that the injured has sustained only simple injury and no previous case is pending against the petitioner. Hence, he prays for grant of anticipatory bail to the petitioners.

4.The learned Additional Public Prosecutor would submit that the injured has sustained only simple injury and no previous case is pending against the petitioner. But, however, the investigation is pending. Hence, he strongly opposed to grant anticipatory bail to the petitioner.

5.Considering the facts and circumstances of the case and also considering the fact that the injured sustained only simple injury and no bad antecedent is reported against the petitioner, this Court is inclined to grant anticipatory bail to the petitioner



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with certain conditions.

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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, Thirumayam, 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 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 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 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



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learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court

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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/-

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Sub-Assistant Registrar

( C.S. I / II / III / IV )

Madurai Bench of Madras High Court,

Madurai - 625 023.

DSS

TO

1 THE JUDICIAL MAGISTRATE,  
THIRUMAYAM.

2 DO THROUGH THE CHIEF JUDICIAL  
MAGISTRATE, PUDUKOTTAI DISTRICT.

3 THE INSPECTOR OF POLICE,  
K.PUDUPATTI POLICE STATION,  
PUDUKKOTTAI DISTRICT.

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

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+1 CC to M/s.N.BALASUBRAMANIAN, Advocate ( SR-7945[I] dated 15/07/2024 )

ORDER  
IN  
CRL OP(MD) No.10411 of 2024  
Date :12/07/2024

SA/GS/SAR. /22.07.2024/5P/6C

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