



CRL OP(MD). No.11232 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 23/07/2024

PRESENT

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

CRL OP(MD). No.11232 of 2024

Chutti Suthakar @ Micheal Su,

... Petitioner/

Accused Rank not known

Vs

The Inspector of Police,
Koodankulam Police Station,
Tirunelveli District.
Crime No. 196/2024.

... Respondent/Complainant

For Petitioner : Mr.Suresh P., 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. 196 of 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



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police for the offences punishable under Sections 120B, 341, 342, 294(b), 324, 307, 302 and 506(2) of IPC @ 120B, 341, 342, 294(b), 324, 307, 302, 506(2), 147, 148 and 149 of IPC, in Cr.No.196 of 2024, seeks anticipatory bail.

2.The case of the prosecution is that due to enmity in playing cricket, the petitioner along with other accused are said to have waylaid the defacto complainant and his father and abused them in filthy language and assaulted them with aruval and caused injuries to them. 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 co-accused was already released on anticipatory bail by this Court. Hence, he prays for grant of anticipatory bail to the petitioner.

4.The learned Additional Public Prosecutor would submit that totally 14 accused are involved in this case. The petitioner is arrayed as A8. A1, A2, A3 and A8 were already arrested and released on bail by the Court below. A5 was released on bail by this Court. 26 witnesses have been examined and the major portion of the investigation has been completed. But, however, the petitioner is having 11 previous cases. Hence, he vehemently, opposed to grant anticipatory bail to the petitioner.

5.Considering the facts and circumstances of the case and also considering the

facts that the co-accused were already released on bail and anticipatory bail and the

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major part of the investigation has been completed, 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, Radhapuram, 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 a.m., 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
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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/-
23/07/2024

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/ 08 /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, RADHAPURAM.

2 DO-THROUGH :
THE CHIEF JUDICIAL MAGISTRATE,
THIRUNELVELI DISTRICT.

3 THE INSPECTOR OF POLICE
KODANKULAM POLICE STATION,
TIRUNELVELI DISTRICT.

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

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+1 CC to M/s.P.SURESH, Advocate (SR-8506[I] dated 24/07/2024)

ORDER
IN

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Date :23/07/2024

PSP/JGB/SAR /07.08.2024/ 5P/ 6C

Madurai Bench of Madras High Court is issuing certified
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