



CRL OP(MD). No.11591 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Date : 25/07/2024

PRESENT

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

CRL OP(MD). No.11591 of 2024

M. Mohammed Nazir Ali @ Naseer

... Petitioner/ Accused No.5

Vs

The Inspector of Police,
Achanpudur Police Station
Tenkasi District.

... 1st Respondent/Complainant

For Petitioner : Mr. J.Jeyakumaran,
Advocate.

For Respondent : Mr.K.Sanjai Gandhi,
Government Advocate (Crl.Side)

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

PRAYER :-

To pass an order directing the petitioner to be released on bail in the event of his arrest in connection with PRC No. 6/2024 on the file of the Judicial Magistrate Judge, Sengottai



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ORDER : The Court made the following order :-

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The petitioner/accused, who apprehends arrest at the hands of the respondent police for issuance of Non Bailabale Warrant on 14.12.2022 for the offences punishable under Sections 147, 341, 294(b), 323, 307 and 506(2) IPC IPC in Cr.No.168 of 2017 in PRC.No.6 of 2024 on the file of the Judicial Magistrate, Sengottai, seeks anticipatory bail.

2.The case of the prosecution is that the petitioners herein and other accused have assembled in the unlawful manner and the attacked the defacto complainant. Hence, the complaint.

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.

4.The learned Government Advocate(Crl.Side) would submit that investatgation completed and the charge sheet filed. He would further submit that due to the non appearance of the petitioner NBW was issued against the petitioner on 14.12.2022.



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5.Considering the facts and circumstances of the case, 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, Sengottai 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 pay a sum of Rs.5,000/- (Rupees Five Thousand only) to the Madurai Bench of Madras High Court Siddha Unit operated by the Registrar (Admin) (Account No:-6865578213, IFSC Code:- IDIB000H040,

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



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Indian Bank Madurai) without prejudice to his rights and contentions before the trial Court and produce the receipt/acknowledgment before the concerned Court while executing sureties;

(c) the petitioner shall report before the respondent police daily at 10.30 am for a period of three weeks and thereafter, as and when required for interrogation;

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

(e) the petitioner shall not abscond either during investigation or trial;

(f) 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;



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(g)if the accused thereafter absconds, a fresh FIR can be registered under
Section 229-A IPC.

sd/-
25/07/2024

/ TRUE COPY /

/08/2024
Sub-Assistant Registrar (CS-I/ II / III/ IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TRP

TO

1. THE JUDICIAL MAGISTRATE JUDGE, SENGOTTAI.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
TENKASI.
- 3.THE INSPECTOR OF POLICE,
ACHANPUDUR POLICE STATION
TENKASI DISTRICT.
4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

COPY TO

- 1.THE REGISTRAR(ADMIN)
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- 2.THE OFFICER IN CHARGE,
MADURAI BENCH OF MADRAS HIGH COURT SIDDHA UNIT.



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WEB COPY +1 CC to M/s.J.JEYAKUMARAN, Advocate (SR-8615[I] dated 25/07/2024)

ORDER
IN
CRL OP(MD) No.11591 of 2024
Date :25/07/2024

RK/JGB (02/08/2024) 6P / 8C

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