



CRL OP(MD). No.12036 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 30.07.2024

PRESENT

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

CRL OP(MD). No.12036 of 2024

P.Prabhakaran

... Petitioner/ A4

Vs

The Inspector of Police,
Nagamalai Pudukkottai Police Station,
Madurai District.
Crime No.90 of 2024.

... Respondent/Complainant

For Petitioner : M/s G.Anto Prince
Advocate.

For Respondent : Mr.K.Sanjai Gandhi
Govt. Advocate (crl. side)

PETITION FOR ANTICIPATORY BAIL U/s 482 of B.N.S.S / Under Sec.438 of Cr.P.C

PRAYER :-

For Anticipatory Bail in Crime No.90 of 2024 on the file of the Respondent Police.



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ORDER: The Court made the following order :-

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The petitioner/A4 who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 147, 148 of IPC and 25(1A) of Arms Act in Crime No.90 of 2024 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the accused have celebrated the birth day of A1 and they cut the cake by a long size sword and intimated the public. Hence, the case.

3.The learned counsel for the petitioner would submit that the petitioner is an innocent and he has been falsely implicated in this case. Hence, he prays for anticipatory

4.The learned Additional Public Prosecutor appearing for the respondent police has strongly opposed to grant anticipatory bail to the petitioner. However, he would submit that in the case, co-accused have already been released on bail and no previous case is pending against the petitioner.



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5. Considering the facts and circumstances of the case and also considering the fact that co-accused have already been released on bail and no previous case is pending against the petitioner, 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 Judicial Magistrate No.VI, Madurai 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 Judge 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;



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(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/-
30/07/2024

/ TRUE COPY /

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

SKN

TO

1 THE JUDICIAL MAGISTRATE NO.VI
MADURAI.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
MADURAI.



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3 THE INSPECTOR OF POLICE
NAGAMALAI PUDUKOTTAI POLICE STATION
MADURAI DISTRICT

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

+1 CC to M/s.G.ANTO PRINCE, Advocate (SR-9008[I] dated 31/07/2024)

ORDER
IN

CRL OP(MD) No.12036 of 2024
Date :30/07/2024

SS/VR/SAR- /21/08/2024/5P/6C

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