



CRL OP(MD). No.13056 of 2024

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 09/08/2024

PRESENT

The Hon`ble Mr.Justice D.BHARATHA CHAKRAVARTHY

CRL OP(MD). No.13056 of 2024

Chithraiselvan @ Chithiradevan

... Petitioner/Sole Accused

Vs

The Inspector of Police,
Parthibanoor Police Station,
Ramanathapuram District.
Crime No. 133/2024.

... Respondent/Complainant

For Petitioner : M/s.Subramanian .A,
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. 133 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/Sole Accused, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 296(b) and 118(1) of BNS Act, 2023, in Cr.No.133 of 2024, seeks anticipatory bail.

2.The case of the prosecution is that the defacto complainant called one Sekar to consume alcohol. When the same was questioned by the mother of the petitioner, there was a wordy quarrel arose between them. On seeing the same, the petitioner, abused the defacto complainant in filthy language and attacked him with aruval and caused injuries. Hence, the complaint.

3.Heard both sides.

4.Considering the nature of allegation and also considering the facts that the injured has sustained only simple injuries and no bad antecedent is reported against the petitioner, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

5.Accordingly, the petitioner is ordered to be released on bail in the event of arrest

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

sd/-
09/08/2024

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

DSS

TO

1. THE JUDICIAL MAGISTRATE, PARAMAKUDI,
2. DO-THROUGH THE CHIEF JUDICIAL MAGISTRATE,
RAMANATHAPURAM DISTRICT.
3. THE INSPECTOR OF POLICE,
PARTHIBANOUR POLICE STATION,
RAMANATHAPURAM DISTRICT.
4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
CRL OP(MD) No.13056 of 2024
Date :09/08/2024



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WIKI RK/GS (20/08/2024) 5P / 5C

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