



CRL OP(MD). No.13806 of 2024

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 30/08/2024

PRESENT

THE HON`BLE MR.JUSTICE B.PUGALENDHI

CRL OP(MD). No.13806 of 2024

Sibi @ Sibi Sakthi,

... Petitioner/ Accused No.12

Vs

The Inspector of Police,
Rajapalayam South Police Station,
Virudhunagar District.
(Crime No. 174 of 2024).

... Respondent/Complainant

For Petitioner : M/s. Sridharan.M.
Advocate.

For Respondent : Mr.B.Thanga Aravindh,
Government Advocate (Crl.Side)

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS / 438 of Cr.P.C

PRAYER :-

For Anticipatory Bail in Crime No. 174 of 2024 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent



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police for the alleged offence punishable under Sections 147, 148, 294(b), 323, 324, 307, 120(b) of IPC, in Crime No.174 of 2024, on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that A1 and A2 have made an attempt to put up a pig shed in the Village common area, near Dr.Ambedkar Statue at Mudhukudi Village. The villagers have raised objections and there was a meeting, wherein, the accused persons have been condemned. On this motive, all the accused persons are said to have assaulted the defacto complainant and caused cut injury on his shoulder.

3.Considering the nature of injury and the period of treatment undergone by the injured, this Court has dismissed the earlier application filed by this petitioner on 28.06.2024.

4.Now the petitioner has renewed his application on the ground that the injured has been discharged from the hospital on 24.05.2024 itself. He further claims that he is studying Law in a Private College.

5.The learned Government Advocate (Crl.side) raised serious objections



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for grant of anticipatory bail to this petitioner that apart from this case, the petitioner has also involved in two other cases in Crime No.115 of 2024 for the offence under Section 160 of IPC and Crime No.385 of 2023 for the offences under Sections 294(b), 324, 506(ii) of IPC @ 294(b), 323, 324 & 506(ii) of IPC.

6.This Court considered the rival submissions made and also perused the materials placed on record.

7.It appears that the petitioner is studying Law in a Private College. The petitioner claims that he has been arrayed as A12 in this case. The cause of action for the alleged occurrence was due to the attempt to put up a Pig shed by A1 and A2 in the Village common area, for which, A1 and A2 were summoned by the Village Committee and asked to seek pardon from the Village Headman, which triggered this petitioner to commit the offence. The investigation has also been completed. The injured person has been discharged from the hospital. More over, though this Court has dismissed the earlier application filed by this petitioner was dismissed, the respondent police has not secured the petitioner so far.

8.In view of the above, this Court is is inclined to grant anticipatory bail to



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the petitioner.

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9. Accordingly, this criminal original petition is allowed and the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the Judicial Magistrate Court, Rajapalayam, on condition that the petitioner shall execute a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties each for a like sum to the satisfaction of the learned Judicial Magistrate, Rajapalayam and on further conditions that:

- i. The petitioner and the sureties shall submit a copy of their Aadhaar Card or any other identity card issued by the Government in proof of their residence address;
- ii. The petitioner shall appear before the respondent police daily at 5.30 p.m.
- iii. The petitioner shall not misuse the liberty granted to him by indulging in any further offence and shall not tamper with the prosecution witnesses.
The petitioner shall be available for the trial as well.

iv. On violation of any of the above conditions by the petitioner, the



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respondent police shall move an application for cancellation of the anticipatory bail.

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/09/2024

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

vrn

TO

1.THE JUDICIAL MAGISTRATE, RAJAPALAYAM,

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
VIRUDHUNAGAR DISTRICT @ SRIVILLIPUTHUR.

3.THE INSPECTOR OF POLICE,
RAJAPALAYAM SOUTH POLICE STATION,
VIRUDHUNAGAR DISTRICT.

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

+1 CC to M/s.M.SRIDHARAN, Advocate (SR-10733[I] dated 02/09/2024)

ORDER
IN

CRL OP(MD) No.13806 of 2024
Date :30/08/2024

RK/VR (05/09/2024) 5P / 6C

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