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CRL OP(MD). N



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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 31/10/2022

PRESENT

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

CRL OP(MD). No.13782 of 2022

1. P.Sandha @ Shanthi
2. P.Ramkannan

... Petitioners/Accused
No.1 & 2

Vs

State rep.by
The Inspector of Police,
Nagamalai Pudukottai Police Station,
Madurai District.
(Crime No.222/2022).

... Respondent/Complainant

For Petitioners : M/s.Manivannan C, Advocate.

For Respondent : Mr.M.Muthu Manikkam,
Government Advocate (Crl.Side)

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

PRAYER :-

For Anticipatory Bail in Crime No.222 of 2022 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 police for the offences punishable under Sections 294 (b), 506(i) IPC and Sections 3 and 4 of Tamil Nadu Prohibition of Exorbitant Interest Act, 2003 in Cr.No.222 of 2022, seeks anticipatory bail.

2.The case of the prosecution is that the defacto complainant borrowed a sum of Rs.20,000/- from the accused No.1 before two years and that the petitioners have taken the bike of the defacto complainant and attacked him and also abused in filthy language. Hence, the complaint.

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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.

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4. The learned Government Advocate (Crl. Side) would submit that totally two accused involved in this case and the property was recovered. He would further submit that the injured was discharged from the hospital. He further contended that the investigation of the case is pending and he strongly opposed to grant anticipatory bail to the petitioner.

5. Considering the facts and circumstances of the case and also considering the fact that the property was recovered and that the injured was discharged from the hospital, 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 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 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 deposit a sum of Rs. 10,000/- (Rupees Ten Thousand only) to the credit of Crime No. 222 of 2022 on file of the Magistrate concerned;

(c) the petitioner shall appear before the respondent police daily at 10.30 am until further orders.

(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

<https://www.mca21.gov.in/judis/> 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]**

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

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Sd/-

31/10/2022

(*)Amended as per order of this Hon'ble Court in CRL MP(MD).15193/2022 in CRL OP (MD).13782/2022 dated 06/12/2022 by ADJCJ.

Two weeks time is granted to the petitioners to surrender before the lower court from the date on which the order copy made ready.

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/12/2022

Sub-Assistant Registrar (C.S.I)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TRP

TO

1. THE JUDICIAL MAGISTRATE VI, MADURAI.

2. THE JUDICIAL MAGISTRATE, THIRUPPUVANAM.

3. -DO- THROUGH
THE CHIEF JUDICIAL MAGISTRATE,
SIVAGANGAI DISTRICT.

4. -DO- THROUGH
THE CHIEF JUDICIAL MAGISTRATE,
MADURAI DISTRICT.

5. THE INSPECTOR OF POLICE,
NAGAMALAI PUDUKOTTAI POLICE STATION,
MADURAI DISTRICT.

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

+2. CC to M/S.MANIVANNAN C Advocate SR.No.14563(I) & 14564(I)

ORDER

IN

CRL OP(MD) No.13782 of 2022

Date :31/10/2022

SP/GB/SAR I/08/11/2022/3P/7C

trp

PKP/VR/SAR-3/19.12.2022/3P/9C

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