



CRL OP(MD) No.4933 of 2024

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

Thursday, the Twenty Eighth day of March Two Thousand and Twenty Four

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.4933 of 2024

RASUKUTTY @ MURUGARAJ

... PETITIONER / ACCUSED 7

Vs

THE SUB INSPECTOR OF POLICE  
VASUDEVANALLUR POLICE STATION,  
TENKASI DISTRICT.  
CR.NO.59/2024

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.SUSI KUMAR.C Advocate

For Respondent : Mr.S.MANIKANDAN,  
Govt. Advocate ( Crl. Side)

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

PRAYER:- FOR ANTICIPATORY BAIL IN CRIME NO. 59/2024 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 police for  
the alleged offence punishable under Sections 147, 148, 294(b), 323, 324, 307 and 506



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(ii) IPC in Crime No.59 of 2024, seeks anticipatory bail.

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2.The case of the prosecution is that there was a pathway dispute between the parties, due to which, the petitioner and other accused abused the defacto complainant in filthy language and also attacked him. Hence, the case.

3.The learned counsel appearing for the petitioner would submit that the petitioner is an innocent and he has not committed any offence as alleged by the prosecution.

4.The learned Government Advocate (Crl.Side) appearing for the respondent Police would submit that the injured person has already been discharged from the hospital.

5.Considering the facts and circumstances of the case and also considering the fact that the injured person has already been 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 on his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned District Munsif cum Judicial Magistrate, Sivagiri 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 the police officer who intends to arrest or to the



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satisfaction of the learned Magistrate concerned and on further condition that:

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(a)if the petitioner failed to surrender before the concerned Magistrate within a period of 15 days from the date of receipt of a copy of this order, this order shall stand automatically cancelled;

(b)the sureties shall affix their photographs and left thumb impression in the surety bond and the Court concerned may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

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

(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/-  
28/03/2024

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/04/2024  
Sub-Assistant Registrar  
( C.S. I / II / III / IV )  
Madurai Bench of Madras High Court,  
Madurai - 625 023.

GNS  
TO

1 THE DISTRICT MUNSIF CUM JUDICIAL MAGISTRATE,  
SIVAGIRI.

2 DO THROUGH THE CHIEF JUDICIAL  
MAGISTRATE, TIRUNELVELI DISTRICT.

3 THE INSPECTOR OF POLICE  
VASUDEVANALLUR POLICE STATION,  
TENKASI DISTRICT.

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



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ORDER

IN

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Date :28/03/2024

SA/JGB/SAR. /16.04.2024/5P/5C

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