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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 06/04/2022

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD) . No.6373 of 2022

S.Murali

... Petitioner/Accused No.1

Vs

State rep.by
The Inspector of Police,
Orathanadu Police Station,
Thanjavur District.
(Crime No.312 of 2022).

... Respondent/Complainant

For Petitioner : M/s.Sivasubramanian.A., Advocate.

For Respondent : Mr.R.Sivakumar,
Government Advocate (Crl.Side)

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

PRAYER :-

For Anticipatory Bail in Crime No.312 of 2022 on the file of the respondent Police.

ORDER : The Court made the following order :-

The petitioner/Accused No.1, apprehending arrest at the hands of the respondent police for the alleged offence punishable under Sections 294(b), 324 and 506(ii) I.P.C, in Crime No.312 of 2022 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that when the de-facto complainant went to his work, the petitioner abused the de-facto complainant and his wife in filthy language and attacked them, thereby, he suffered injuries. Hence, the complaint.

3.The learned counsel for the petitioner submitted that the petitioner is innocent and he has been falsely implicated in this case. The co-accused was already granted anticipatory bail in Cr.M.P.No.1595 of 2022 by the learned Principal Sessions Judge, Thanjavur, dated 31.03.2022.



4.The learned Government Advocate (Crl. Side) for the respondent police submitted that the injured person has been discharged from the hospital.

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5.Considering the nature of offence, the overt act attributed against the petitioner, the injured person has been discharged from the hospital and the co-accused has been released on anticipatory bail, this Court is inclined to grant anticipatory bail to the petitioner.

6.Accordingly, this Criminal Original Petition is allowed and petitioner is ordered to be released on bail in the event of arrest or on his appearance, before the learned Judicial Magistrate, Orathanadu, Thanjavur, 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 learned Magistrate concerned and the petitioner shall appear before the respondent police daily at 10.30 a.m. until further orders. The petitioner shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously.

7.The petitioner shall appear before the concerned Magistrate within a period of 15 days from the date on which the order copy made ready, failing which, the petition for anticipatory bail stands dismissed.

Sd/-
06/04/2022

/ TRUE COPY /

/ /2022
Sub-Assistant Registrar (C.S.IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

sjj

Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.



1. THE JUDICIAL MAGISTRATE,
ORATHANADU, THANJAVUR.

2. -DO-THROUGH
THE CHIEF JUDICIAL MAGISTRATE,
THANJAVUR DISTRICT AT KUMBAKONAM.

3. THE INSPECTOR OF POLICE,
ORATHANADU POLICE STATION,
THANJAVUR DISTRICT.

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

+1. CC to M/S. SIVASUBRAMANIAN.A. Advocate SR.No.3051

ORDER
IN
CRL OP (MD) No.6373 of 2022
Date :06/04/2022

SP/SVR/SAR IV/13/04/2022/3P/6C