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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Dated: 06/07/2022

PRESENT

The Hon'ble Mr.Justice **G.ILANGOVAN**

Cr1.OP(MD)No.12100 of 2022

M.Muthukumar : Petitioner/Sole Accused

Vs.

The Inspector of Police,
Kadambur Police Station,
Thoothukudi District.

(Crime No.68 of 20220 : Respondent/Complainant

For Petitioner : Mr.N.Madhava Govindan

For Respondent : Mr.B.Thanga Aravindh
Government Advocate
(Criminal side)

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

PRAYER:-

C-31AB.For Anticipatory Bail in Crime No.68 of 2022
on the file of the Respondent Police.

ORDER : The Court made the following order:-



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The petitioner, who is arrayed as sole accused apprehending arrest at the hands of the respondent police for the offences punishable under sections 294(b), 324 and 506(ii) IPC, in Crime No.68 of 2022 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that over the suit filed in O.S No.18 of 2020 on the file of the Sub Sub Court, Kovilpatti, enmity exists between the de-facto complainant's party and the accused person. On 11/05/2022 at about 11.00 pm, when the de-facto complainant was celebrating the temple festival, the accused came in a drunken mood and assaulted him with beer bottle, as a result of which, he sustained injury on the right side region of eye. He was admitted in hospital and later, discharged from the hospital.

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



4.The learned Government Advocate (Criminal side) appearing for the respondent/State would submit that because of the above said suit issue, trouble has arisen between the parties and no bad antecedent is reported against this petitioner and the injured has been discharged from the hospital.

5.Considering the above facts and circumstances of the case and also considering the fact that the injured has been discharged from the hospital, this court is inclined **to grant anticipatory bail** to the petitioner with certain conditions. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance before the learned Judicial Magistrate No.II, Kovilpatti and on his executing 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 Judicial Magistrate concerned and the petitioner shall appear before the respondent police daily at 10.00 a.m. until further orders. The petitioner shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously. The petitioner shall appear before the concerned Judge within a period of 15 days from the date



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on which the order copy made ready, failing which, the
petition for anticipatory bail stands dismissed.

(G I J)
06.07.2022

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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.

To,

- 1.The Inspector of Police,
Kadambur Police Station,
Thoothukudi District.
- 2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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