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CRL OP(MD). N



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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT  
( Criminal Jurisdiction )  
Date : 04/08/2022  
PRESENT

**The Hon`ble Mr.Justice G.ILANGO VAN**

CRL OP(MD) . No.14077 of 2022

Babu

... Petitioner/Accused No.2

**Vs**

The State rep.by  
The Inspector of Police,  
Natham Police Station,  
Dindigul District.  
Crime No. 249 of 2022.

... Respondent/Complainant

For Petitioner : M/s.JAMEEL ARASU.B, Advocate.

For Respondent : Mr.B.THANGA ARAVINDH,  
Government Advocate (Crl.Side)

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

**PRAYER :-** For Anticipatory Bail in Crime No. 249 of 2022 on the file of the respondent Police.

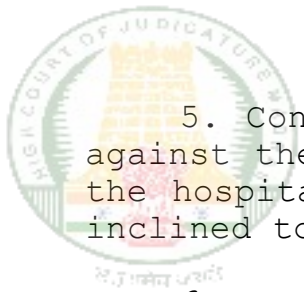
**ORDER :** The Court made the following order :-

The petitioner/Accused, apprehending arrest at the hands of the respondent police for the alleged offence punishable under Sections 294(b), 323, 324 and 506(ii) IPC in Crime No.249 of 2022 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the defacto complainant has supplied 10 load of sand to A1 for the value of Rs.60,000/-, for which A1 has paid only a sum of Rs.10,000/-. When the defacto complainant has demanded the balance amount, the petitioner herein along with other accused criminally intimidated him and caused assault with wooden log. 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.

4. The learned Government Advocate (Crl. Side) for the respondent police submitted that it is a case and counter case and the counter case has been registered in Crime No.248 of 2022 against the defacto complainant and others. He would further submit that the injured person has been discharged from the hospital and there is no previous case against the petitioner.



5. Considering the nature of offence, the overt act against the petitioner, the injured person has been discharged from the hospital and that it is a case and counter case, 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, Natham, Dindigul District 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/-

04/08/2022

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/08/2022

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

**TO**

- 1 THE JUDICIAL MAGISTRATE, NATHAM, DINDIGUL DISTRICT.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, DINDIGUL DISTRICT.
- 3 THE INSPECTOR OF POLICE,  
NATHAM POLICE STATION,  
DINDIGUL DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,  
MADURAI BENCH OF MADRAS HIGH COURT,  
MADURAI.

**ORDER IN**

CRL OP(MD) No.14077 of 2022  
Date :04/08/2022

TRP

SA/JM/SAR.2/11.08.2022/2P/5C