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CRL OP(MD). N



22

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 10/08/2022

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.14329 of 2022

V.Dharmaraj,

... Petitioner/Accused No.1

Vs

State Rep.by
The Inspector of Police,
Nilakottai Police Station,
Dindigul District.
(Crime No.186/2022).

... Respondent/Complainant

For Petitioner : Mr.A.Joseph Jerry, Advocate.

For Respondent : Mr.B.Thanga Aravindh,
Government Advocate (Crl.Side)

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

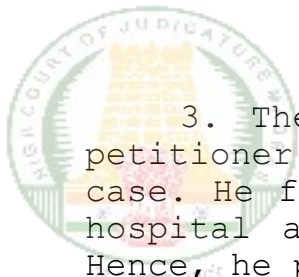
PRAYER :-

For Anticipatory Bail in Crime No.186/2022 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 offences punishable under Sections 294B, 323 and 506(ii) I.P.C, in Crime No.186 of 2022 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the defacto complainant lodged a complainant stating that on 03.08.2022, at about 10.30 a.m, he had smoke and put the same in front of his shop and that was accidentally fell on the shop of the accused persons. In which, the accused persons picked up quarrel and caused simple injury. Based upon the complaint given by the defacto complainant, the present case has been registered against the accused persons.



3. The learned counsel for the petitioner submitted the petitioner is innocent and he has been falsely implicated in this case. He further submitted that the injured was discharged from the hospital and no previous case is pending against the petitioner. Hence, he prays for grant of anticipatory bail to the petitioner.

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4. The learned Government Advocate (Crl. Side) for the respondent police submitted that the injured sustained only simple injury and he has been discharged from the hospital. No previous antecedent is reported against the petitioner.

5. Considering the facts and circumstances of the case and also considering the fact that the injured was discharged from the hospital and no bad antecedents is reported against the petitioner, 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, Nilakkottai, Dindigul, 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 once in 15 days 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/-
10/08/2022

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/08/2022
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

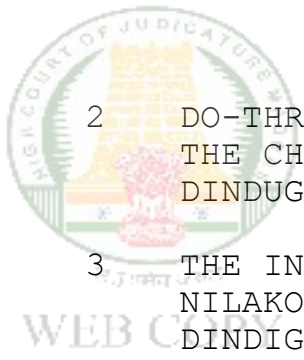
DSS

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 JUDICIAL MAGISTRATE
NILAKKOTTAI DINDIGUL.

<https://www.mhc.tn.gov.in/judis>



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

+1. CC to M/S.JOSEPH JERRY A Advocate SR.No.8373(I)

ORDER
IN
CRL OP(MD) No.14329 of 2022
Date :10/08/2022

PKP/JM/SAR-1/16.08.2022/3P/6C