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CRL OP(MD). N



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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 01/09/2022

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.15334 of 2022

Suresh

... Petitioner/Accused No.1

Vs

The State rep.by,
The Inspector of Police,
Chekkanurani Police Station,
Madurai District.
Crime No.256 of 2022.

... Respondent/Complainant

For Petitioner : Mr.Muthu Kumar.S,
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.256 of 2022 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner is facing charges under Sections 11(1) and 12 of POCSO Act, 2012 in Crime No.256 of 2022 on the file of the respondent police.

2.The case of the prosecution, as per the defacto complainant's version, is that on 25.07.2022 at about 06.30 pm., when his daughter was returning to his house from the college, the accused persons followed her and made trouble. Over the aforesaid occurrence, she was apprehended and on the basis of the aforesaid complainant, the case has been registered.

3.The learned counsel for the petitioner would submit that there was trouble between the defacto complainant and the accused persons, over which the case in Crime No.257 of 2022 was registered

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on the very same date of the present complaint and at complaint, it has been stated that the petitioner herein is a differently abled person (deaf and dumb) and he was working in a shed.

4. On 25.07.2022, when the petitioner was returning to his house in a two wheeler, one Kasi, who is the son of one Jeyakodi assaulted him with stick and iron rod. He was taken to the hospital, over which the aforesaid case has been registered against the defacto complainant's party in this case.

5. The learned Government Advocate (Crl.side) for the respondent would submit that because of the aforesaid assault issue, the present complaint has been given.

6. Considering the aforesaid factual issue, this Court is inclined to grant anticipatory bail to the petitioner.

7. Accordingly, this Criminal Original Petition is allowed and 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, Usilampatti, 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.

8. 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 shall stand dismissed.

sd/-

01/09/2022

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/09/2022

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

MM

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 NO.II, USILAMPATTI.
2. DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
MADURAI.
3. THE INSPECTOR OF POLICE,
CHEKKANURANI POLICE STATION,
MADURAI DISTRICT.
4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.MUTHU KUMAR S Advocate SR.No.42562(f)

ORDER

IN

CRL OP(MD) No.15334 of 2022

Date :01/09/2022

RK/VRS/SAR-1 (13/09/2022) 3P/6C