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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 16/11/2022

PRESENT

The Hon`ble Mr.Justice G.ILANGOVAN

CRL OP(MD). No.20266 of 2022

1. Kumaresan,

2. Balamurugan, ... Petitioners/Accused Nos. 1 & 2

Vs

State Rep.by
The Inspector of Police,
Town South Police Station,
Dindigul District.
Crime No.253 of 2022. ... Respondent/Complainant

For Petitioner : M/s.Manikandan P, Advocate.

For Respondent : Mr.Vaikkam Karunanithi,
Government Advocate (Crl.Side)

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

PRAYER :-
For Anticipatory Bail in Crime No.253 of 2022 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioners/Accused No.1 and 2, apprehending arrest at the hands of the respondent police for the alleged offence punishable under Sections 341, 294(b), 323 and 506(1) of IPC in Crime No.253 of 2022 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that when the defacto complainant was going to his house, the petitioners gathered and way laid the defacto complainant, abused him in filthy language, threatened him with dire consequences and caused assault upon him. Hence, the complaint.

3. The learned counsel for the petitioners submitted that the petitioners are innocent and they have been falsely implicated in this case.

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4. The learned Government Advocate (Crl. Side) ıe respondent police submitted that the injured person in this case has been discharged from the hospital and there is no previous case pending against the petitioners.

5. Considering the nature of offence, the overt act attributed against the petitioners, the injured person has been discharged from the hospital and there is no previous case pending against the petitioners, this Court is inclined to grant anticipatory bail to the petitioners.

6. Accordingly, this Criminal Original Petition is allowed and the petitioners are ordered to be released on bail in the event of arrest or on their appearance, before the learned Judicial Magistrate No.III, Dindigul, on condition that the petitioners shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each with two sureties each for a like sum to the satisfaction of the learned Magistrate concerned and the petitioners shall appear before the respondent police daily at 10.30 a.m. until further orders. The petitioners shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously.

7. The petitioners 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/-
16/11/2022

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/11/2022

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

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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 JUDICIAL MAGISTRATE NO.III
DINDIGUL.

2 DO-THROUGH :
THE CHIEF JUDICIAL MAGISTRATE,
DINDIGAL DISTRICT.

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3 THE INSPECTOR OF POLICE
TOWN SOUTH POLICE STATION,
DINDIGUL DISTRICT.

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

ORDER
IN
CRL OP(MD) No.20266 of 2022
Date :16/11/2022

PKP/BUC/SAR-3/22.11.2022/3P/5C

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