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CRL OP(MD)N



22

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 02/12/2022

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD)No.21401 of 2022

Arjunraj

... Petitioner/Accused Rank Not Known

Vs

State Rep.by
The Inspector of Police,
Kabistalam Police Station,
Thanjavur District.
(Crime No.905/2022)

... Respondent/Complainant

For Petitioner : M/s.Karunakaran K M, Advocate
For Respondent : Mr.M.Veerendhiran,
Government Advocate (Crl.Side)

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

PRAYER :-

For Anticipatory Bail in Crime No.905/2022 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 324, 352, 354 and 506(ii) of IPC, in Crime No.905 of 2022, on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that there was some previous land dispute between the petitioner and the defacto complainant, due to which, the petitioner attacked the defacto complaint with wooden log, abused him and also threatened him with dire consequences. Hence, the complaint.

3.The learned counsel for the petitioner submits that there is some previous land dispute between the petitioner and the defacto complainant, due to which, this false complaint has been foisted against the petitioner. He would further submit that petitioner is an innocent person and he has not committed any offence as alleged by the prosecution.



4.The learned Government Advocate(Crl.Side) appearing for the respondent submits that the first accused was arrested and thereafter released on bail and the injured has been discharged from the hospital. Further, no previous case is pending against the petitioner.

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5.Considering the facts and the circumstances of this case and also of the fact that the injured person has been discharged from the hospital, the petitioner is not having any bad antecedents and the grant of bail to the co-accused, this Court is inclined to grant anticipatory bail to the petitioner, however, with stringent conditions.

6.Accordingly, the petitioner is ordered to be released on bail in the event of arrest or his appearance, before the learned District Munsif cum Judicial Magistrate, Papanasam 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 Magistrate concerned; and the petitioners shall appear before the respondent police on every Saturday at 10.30 am until further orders. The petitioner shall comply with the conditions stipulated under Section 438 Cr.P.C. scrupulously.

7.The petitioner shall appear before the concerned Magistrate within a period of fifteen days from the date on which the order copy made ready, failing which, the petition for anticipatory bail stands dismissed.

sd/-

02/12/2022

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

To

- 1 THE DISTRICT MUNSIF CUM JUDICIAL MAGISTRATE, PAPANASAM.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
THANJAVUR DISTRICT AT KUMBAKONAM.
- 3 THE INSPECTOR OF POLICE, KABISTALAM POLICE STATION,
THANJAVUR DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.K.M.KARUNAKARAN, Advocate (SR-14218[I] dated 02/12/2022)

ORDER IN

CRL OP(MD) No.21401 of 2022

Date :02/12/2022

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