



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 12/07/2023
PRESENT

WEB COPY

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.11778 of 2023

K.Suresh Rush

... Petitioner/Accused 1

Vs

The State rep.by
The Inspector of Police,
Alanganallur Police Station,
Madurai District.
Crime No.210 of 2023.

... Respondent/Complainant

For Petitioner : M/s.A.PRASANNA RAJADURAI, Advocate

For Respondent : Mr.B.NAMBISELVAN,
Additional Public Prosecutor

PETITION FOR BAIL Under Sec.439 of Cr.P.C.

PRAYER :- For Bail in Crime No.210 of 2023 on the file of the Respondent Police.

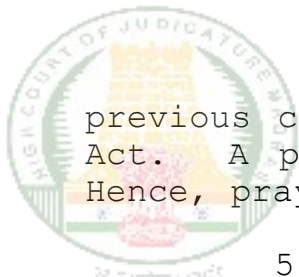
ORDER : The Court made the following order :-

The petitioner /Accused, who was arrested on 26.05.2023 for the alleged offence under Sections 147, 148, 452, 109, 323, 307 IPC and 4 of TNPWH Act, in Crime No.210 of 2023, on the file of the respondent police, seeks bail.

2.The case of the prosecution is that on 25.05.2023 at about 07.00p.m., the accused persons had criminally trespassed into the house of the defacto complainant with deadly weapons and assaulted them and also threatened them with dire consequences. Hence, the complaint.

3.The learned counsel for the petitioner would submit that the petitioner is an innocent and he has been falsely implicated in this case, on account of landlord and tenant dispute. The defacto complainant also facing many cases against the complaints given by the petitioner. The petitioner is in custody from 26.05.2023. Hence, prays to release him on bail.

4.The learned Additional Public Prosecutor appearing for the respondent would submit that the petitioner is having 25



previous cases and most of the cases are pending under Pr. on Act. A proposal is made to detain the petitioner under Act 14. Hence, prays to dismiss the petition.

5. Heard the learned counsel appearing on either side and perused the materials placed before this Court.

6. Reading of CD file shows that there is a landlord tenant dispute between the parties. Due to which, there was a continuous trouble between the parties and several cases were registered against them. However, there is no proposal to detain the petitioner under Act 14 and H.S.No.412 of 2019 was closed. The petitioner is also showing photographs to show his injuries.

7. Considering the facts and circumstances of this case and the facts that the trouble arose due to landlord and tenant dispute and there are several cases pending against both parties and also considering the period of incarceration undergone by the petitioner, this Court is inclined to grant bail to the petitioner with certain conditions.

8. Accordingly, this Criminal Original Petition is allowed and the petitioner is ordered to be released on bail, on executing a personal 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 **Judicial Magistrate, Vadipatti Madurai**, and on further condition that the petitioner shall report before the concerned trial Court daily at 10.30 a.m. until further orders.

sd/-

12/07/2023

/ TRUE COPY /

12/07/2023

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

PNM

TO

- 1 THE JUDICIAL MAGISTRATE,
VADIPATTI, MADURAI.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
MADURAI DISTRICT.
- 3 THE SUPERINTENDENT,
CENTRAL PRISON, THENI,
THENI DISTRICT.



4 THE INSPECTOR OF POLICE,
ALANGANALLUR POLICE STATION,
MADURAI DISTRICT.

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

+1. CC to M/S.A.PRASANNA RAJADURAI, Advocate SR.No.10538

ORDER

IN

CRL OP(MD) No.11778 of 2023

Date :12/07/2023

SA/VR/SAR. /12.07.2023/3P/7C