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CRL OP(MD). N



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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 06/07/2023

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.12013 of 2023

Anjali,

... Petitioner/Accused No.2

Vs

State Rep.by
The Inspector of Police,
Usilampatti Town Police Station,
Usilampatti, Madurai District.
(In Crime No.308 of 2023).

... Respondent/Complainant

For Petitioner : M/s.S.Ramanathan, Advocate.

For Respondent : Mr.S.Manikandan,
Government Advocate (Crl.Side)

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

PRAYER :-

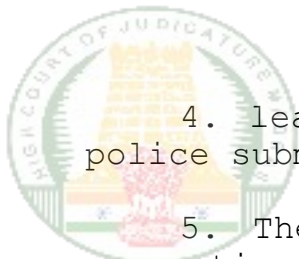
For Anticipatory Bail in Crime No.308 of 2023 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/Accused No.2, apprehending arrest at the hands of the respondent police for the alleged offence punishable under Sections 147, 294(b), 447, 323, 427 and 506(i) of IPC and Section 4 of TNPHW Act, in Crime No.308 of 2023 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that due previous enmity the petitioner along with other accused persons had trespassed into the house of the defacto complainant and abused them in filthy language and damaged the door of the house and threatened the defacto complainant with dire consequences. Hence, the complaint.

3. The learned counsel for the petitioner submitted that the petitioner is innocent and he has been falsely implicated in this case.



4. learned Government Advocate (Crl. Side) for the respondent police submitted that investigation in this case is still pending.

5. The defacto complainant in his complaint has stated that suspecting the behaviour of the accused, he put up a CCTV camera, that was not liked by the petitioner. Over which damage also occurred, but the value of the damages has not been mentioned. On 22.06.2023, the accused persons trespassed into the house of the defacto complainant and caused damages and also assaulted them. Over the above said occurrence case has been registered.

6. Even though damage has not been mentioned, let the petitioner shall deposit a sum of Rs.10,000/- (Rupees Ten Thousand only) to the credit of the Crime No.308 of 2023, before the trial Court concerned, without prejudice to his rights and contentions before the trial Court.

7. With the above said direction, this Criminal Original Petition is allowed and on receipt of the above said deposit amount, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, before the learned District Munsif cum Judicial Magistrate No.I, 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.

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/-

06/07/2023

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/07/2023

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

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TO

1 THE DISTRICT MUNSIF CUM
JUDICIAL MAGISTRATE NO.I, USILAMPATTI.

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

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



3 THE INSPECTOR OF POLICE
USILAMPATTI TOWN POLICE STATION,
USILAMPATTI,
MADURAI DISTRICT.

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

+1 CC to M/s.S.RAMANATHAN, Advocate (SR-10344[I] dated 07/07/2023)

ORDER

IN

CRL OP(MD) No.12013 of 2023

Date :06/07/2023

PKP/ /SAR- /10.07.2023/ **3P/6C**