



CRL OP(MD). No.12047 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 13/07/2023

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.12047 of 2023

Marttin @ Mardeen

... Petitioner/ Accused 4

Vs

The Inspector of Police,
Melatur Police Station
Thanjavur District.
Crime No. 116 of 2023.

... Respondent/Complainant

For Petitioner : Mr.R.L.DHILIPAN PANDIAN, Advocate

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

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

PRAYER :- For Anticipatory Bail in Crime No. 116 of 2023 on the file of the respondent Police.

ORDER : The Court made the following order :-

The petitioner/A4, apprehending arrest at the hands of the respondent police for the alleged offence punishable under Sections 147, 148, 341, 294(b), 324, 506

(ii) 307 I.P.C, in Crime No.116 of 2023, on the file of the respondent police, seeks

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



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anticipatory bail.

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2.The case of the prosecution is that on 01.06.2023 the accused persons abused and assaulted the defacto complainant and also threatened him with dire consequences. Hence, the complaint.

3.The learned counsel for the petitioner would submit that the petitioner is an innocent person and he has been falsely implicated in this case. He would further submit that the co-accused have already been enlarged on bail as per the order of this Court in CRL OP(MD)No.10398 of 2023, dated 13.06.2023. Hence, prays to release him on anticipatory bail.

4.The learned Additional Public Prosecutor would submit that though the injured person has been discharged from the hospital and the petitioner, when he was juvenile, is having one previous case in Crime No.426 of 2023. Hence, prays to dismiss the petition.

5.Perusal of records reveal that Crime No.426 of 2023 was registered for the offence under Sections 457, 380 IPC against the petitioner, as if, he had stolen cigarettes worth about Rs.500/-. At the time of occurrence, the petitioner was a juvenile. However, the final verdict of the said case was not available in records.

6.Considering the above facts and also the facts that the petitioner was involved in one case, when he was juvenile, that the co-accused have already been



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enlarged on anticipatory bail and that the injured person has already been discharged from the hospital, 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.III, Thanjavur, 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 stands dismissed.

sd/-
13/07/2023

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/07/2023
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.



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PNM

TO

1 THE JUDICIAL MAGISTRATE NO.III
THANJAVUR.

2 DO THROUGH THE CHIEF JUDICIAL
MAGISTRATE, THANJAVUR DISTRICT AT KUMBAKONAM.

3 THE INSPECTOR OF POLICE,
MELATUR POLICE STATION
THANJAVUR DISTRICT.

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

ORDER
IN

CRL OP(MD) No.12047 of 2023
Date :13/07/2023

SA/DD/SAR. /24.07.2023/4P/5C
Madurai Bench of Madras High Court is issuing
certified copies in this format from 17/07/2023.