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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Dated: 07/07/2023

THE HON'BLE MR JUSTICE G.ILANGOVAN

Cr1.OP(MD)No.12107 of 2023

Rajesh @ Rajesh Kannan : Petitioner/A2

Vs.

State represented by
The Inspector of Police,
Karambakudi Police Station,
Pudukkottai District. : Respondent/Complainant

For Petitioner : Mr.K.C.Maniyarasu

For Respondent : Mr.B.Nambiselvan
Additional Public Prosecutor

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

PRAYER:- For Bail in Crime No.161 of 2023 on the
file of the Respondent Police.

ORDER: The Court made the following order:-



The petitioner/A2, who was arrested and remanded to judicial custody, on 23/06/2023 for the offences punishable under sections 147, 447, 427, 323, 324, 506(ii), 379, 363, 511 and 307 IPC, in Crime No.161 of 2023 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the first accused one Prabhu had fallen in love with the de-facto complainant's sister. Though on several occasions, the first accused approached the de-facto complainant for marrying his sister, he refused to arrange marriage. In the meantime, on 13/06/2023, the first accused along with other accused went to his house, attacked him and his mother and damaged the house of the de-facto complainant and had stolen his mother's gold chain weighing 7 sovereigns. Hence, the complaint.

3.Heard both sides and perused the materials available on record.

4.The co-accused namely Ashok Kumar, Pandi, Ayyasamy, Bakiyaraj and Subramani were granted anticipatory bail by this court in CrI.OP(MD)No.11990 of



2023, dated 30/06/2023 and this petition has been filed by the petitioner, who is arrayed A2.

5.As per the case of the prosecution, A1 namely Prabhu @ Prabhakaran was in love with the de-facto complainant's sister namely Vaishnavi and that was not accepted by the de-facto complainant family. But however, the above said request and pressure was continued by the first petitioner namely Prabhu @ Prabhakaran. On the particular date I.e., on 13/06/2023 at about 11.00 pm in the night, the accused persons by braking open the door, entered into the house of the de-facto complainant and caused assault and extensive damage.

6.The learned counsel appearing for the petitioner would submit that no damage was caused to the articles. The petitioner along with other accused persons simply went to the house of the de-facto complainant with the above said proposal of marriage, over which, this false complaint has been given. But in the complaint, it has been stated that the articles worth about Rs.10,000/- was found damaged.



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7.Considering the fact that it is love affair between the de-facto complainant's sister and A1, over which, the above said trouble said to have been arisen and also considering the fact that the co-accused were enlarged on anticipatory bail, this court is inclined to grant bail to the petitioner with certain conditions. Accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of Rs. 10,000/- (Rupees Ten Thousand only) with two common sureties each for a like sum to the satisfaction of the learned Judicial Magistrate, Karambakudi and on further condition that the petitioner shall deposit a total sum of Rs.10,000/- (Rupees Ten Thousand only) to the credit of the Crime No.161 of 2023 before the trial court and on further condition that the petitioner shall appear before the respondent police daily at 10.00 a.m. until further orders.

07/07/2023

Index:Yes/No

Internet:Yes/No



To,

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- 1.The Judicial Magistrate,
Karambakudi.
- 2.The Inspector of Police,
Karambakudi Police Station,
Pudukkottai District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.
- 4.The District Jail,
Pudukkottai.



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G. ILANGO VAN, J

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Crl.OP (MD) No.12107 of 2023

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Cr1.OP(MD)No.11593 of 2023

G. ILANGO VAN, J

Let the Investigating Officer be present before this court in person on 12/07/2023 at about 02.15 pm, along with CD file, since there is a contradiction with regard to the place from where the contraband has been recovered.

Call on 12/07/2023 at 02/.15 pm.

07/07/2023

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