



WEB COPY



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 05/07/2023

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP (MD) . No.12145 of 2023

Periyasamy,

... Petitioner/Sole Accused

Vs

The State represented by
The Inspector of Police,
K.Pudupatti Police Station, Pudukkottai
District.
(In Crime No.98 of 2023).

... Respondent/Complainant

For Petitioner : M/s.E.Balasubramanian,
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. 98 of 2023 on the file of
the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/Sole Accused, apprehending arrest at the hands
of the respondent police for the alleged offence punishable under
Sections 294(b), 295, 323 and 506(i) of IPC in Crime No.98 of 2023
on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner along
with his wife encroached the defacto complainant's property. When
the same was questioned, the petitioner threw iron rod on the
defacto complainant and pulled down and cut the sacred thread and
threatened him to sign the papers to transfer the ownership to him
and also caused criminal intimidation. 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. The learned Government Advocate (Crl. Side) for the respondent police submitted that there is a land dispute between the parties.

5. Considering the nature of offence and considering the fact there is land dispute between the parties, this Court is inclined to grant anticipatory bail to the petitioner.

6. Accordingly, this Criminal Original Petition is allowed and petitioner is ordered to be released on bail in the event of arrest or on his appearance, before the learned Judicial Magistrate, Thirumayam, 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/-
05/07/2023

/ TRUE COPY /

/07/2023

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

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TO

1 THE JUDICIAL MAGISTRATE,
THIRUMAYAM.

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

3 THE INSPECTOR OF POLICE
K.PUDUPATTI POLICE STATION, PUDUKKOTTAI DISTRICT.

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

+1 CC to M/s.E.BALASUBRAMANIAN, Advocate (SR-10228[I] dated
05/07/2023)

ORDER
IN
CRL OP(MD) No.12145 of 2023
Date :05/07/2023