



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.12183 of 2023

A.Muthupandi

... Petitioner / Sole Accused

Vs

The State of Tamil Nadu rep by
The Inspector of Police,
Sivakasi Police Station,
Viruthunagar District.
(Crime No.228 of 2023).

... Respondent / Complainant

For Petitioner : M/s.Dinesh, Advocate

For Respondent : Mr.M.Vaikkam Karunanithi,
Government Advocate (Crl.Side)

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

PRAYER :-

For Anticipatory Bail in Crime No.228 of 2023 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/Accused, apprehending arrest at the hands of the respondent police for the alleged offence punishable under Sections 294(b), 323, 324, 506(ii) of I.P.C, in Crime No.228 of 2023, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution as per the defacto complainant is that there was a dispute between the parties in a wine shop, over which, on 26.06.2023, the accused persons had assaulted the defacto complainant and abused him in obscene words. He threw stones against the defacto complainant and also threatened him. Hence, the complaint.

3. The learned counsel for the petitioner submitted that the petitioner is innocent and a false complaint has been foisted against him. Injured has been discharged from the hospital. Hence, the petitioner seeks release the petitioner on anticipatory bail.



4.The learned Government Advocate (Crl.Side) stated that the accused had abused and assaulted the defacto complainant. In this case, though the injured has been discharged, the investigation is not yet completed. Hence, prays to dismiss the petition.

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

6.Taking into consideration the facts and circumstances of the case and considering the fact that the injured has been discharged from the hospital, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

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.I, Sivakasi, Virudhunagar District**, 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/-
06/07/2023

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

PNM

To

1.The Judicial Magistrate No.I,
Sivakasi, Virudhunagar District.

2.Do through the Chief Judicial Magistrate,
Virudhunagar District at Srivilliputhur.

3.The Inspector of Police,
Sivakasi Police Station,
Virudhunagar District.

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



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4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

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ORDER

IN

CRL OP(MD) No.12183 of 2023

Date :06/07/2023

ED/ /SAR- (11/07/2023) 3P 5C