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CRL OP(MD). N



23

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.12195 of 2023

1. S.Ramesh

2. S.Dinesh

... Petitioners / Accused No.1 & 2

Vs

State through
The Sub Inspector of Police,
Viralimalai Police Station,
Pudukkottai District.
(Crime No.215/2023.)

... Respondent / Complainant

For Petitioners : M/s.Sekar.S, Advocate

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

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

PRAYER :-

AB For Anticipatory Bail in Crime No.215/2023 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioners/Accused, apprehending arrest at the hands of the respondent police for the alleged offence punishable under Sections 294(b), 448, 324, 506(ii) of I.P.C, in Crime No.215 of 2023 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that on 21.06.2023 at about 09.30PM, the accused persons criminally trespassed into the house of the defacto complainant and assaulted him with iron rod on his forehead and nose. When the defacto complainant raised alarm, the accused persons criminally threatened him and fled away from the scene of occurrence. Hence, the complaint.

3.The learned counsel for the petitioners submitted that the petitioners are innocent and a false case was foisted against



them, since there was a previous enmity between the parties. The injured has been discharged from the hospital. Hence, prays to release them on anticipatory bail.

4. The learned Government Advocate (Crl.Side) submitted that in this case, though the injured has been discharged from the hospital, the accused persons abused and assaulted the defacto complainant. Hence, prays to dismiss the petition.

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 petitioners with certain conditions.

7. Accordingly, this Criminal Original Petition is allowed and the petitioners are ordered to be released on bail in the event of arrest or on their appearance, before the learned **Judicial Magistrate, Illuppur, Pudukottai District**, on condition that the petitioners shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each with two sureties each for a like sum to the satisfaction of the learned Magistrate concerned and the petitioners shall appear before the respondent police daily at 10.30 a.m. until further orders. The petitioners shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously.

8. The petitioners 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/-

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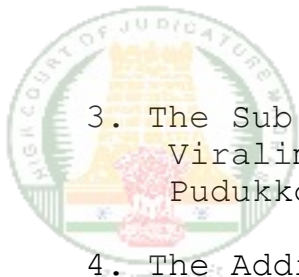
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

PNM

TO

1. The Judicial Magistrate,
Illuppur, Pudukottai.

2. Do-Through The Chief Judicial Magistrate,
Pudukottai District.



3. The Sub Inspector of Police,
Virallimalai Police Station,
Pudukkottai District.

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

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+1 CC to M/s.S.S.EKAR, Advocate (SR-10299[I] dated 06/07/2023)

ORDER

IN

CRL OP(MD) No.12195 of 2023

Date :06/07/2023

ED/ /SAR- (10/07/2023) 3P 6C