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CRL OP(MD). N



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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.12198 of 2023

A.Raja

... Petitioner/Single Accused

Vs

State Rep.by
The Inspector of Police,
Jaihindpuram Police Station,
Madurai in
Crime No.471/2022.

... Respondent/Complainant

For Petitioner : M/s.C.M. Arumugam, Advocate

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

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

PRAYER :-

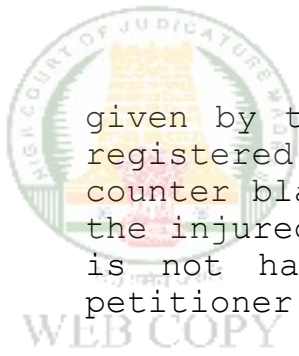
For Anticipatory Bail in Crime No.471/2022 on the file of the respondent police.

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), 324, 506(ii) of I.P.C, in Crime No.471 of 2022, 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 civil dispute between the parties, over which, the accused, who is the brother of the defacto complainant had abused and assaulted the defacto complainant, his sister and also his son. Hence, the complaint.

3. The learned counsel for the petitioner submitted that there was a civil dispute between the parties, over which, a false complaint has been foisted against him. On the basis of complaint



given by the petitioner, a case in Crime No.470 of 2022, registered against the defacto complainant's party. Only as a counter blast, the complaint in this case has been registered. Now, the injured has been discharged from the hospital and the petitioner is not having any previous case. Hence, prays to release the petitioner on anticipatory bail.

4.The learned Government Advocate (Crl.Side) submitted that there was a civil dispute between the parties, a case and case in counter were registered against the parties. In this case, the injured was discharged from the hospital and the investigation is not yet completed. Hence, prays to dismiss the petition.

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

6.Reading of FIR reveals that over the civil dispute between the parties, a suit in O.S.No.326 of 2022 is pending before the District Munsif Court, Madurai.

7.Taking into consideration the facts and circumstances of the case and considering the fact that it is a case and case in counter pending against the parties and nature of civil dispute pending against the parties, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

8.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.IV, Madurai**, 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 as and when required for interrogation. The petitioner shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously.

9. 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.



1 THE JUDICIAL MAGISTRATE NO.IV
MADURAI.

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

3 THE INSPECTOR OF POLICE
JAIHINDPURAM POLICE STATION, MADURAI IN

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

+1 CC to M/s.C.M.ARUMUGAM, Advocate (SR-10384[I] dated 07/07/2023)

ORDER

IN

CRL OP(MD) No.12198 of 2023

Date :06/07/2023

PKP/MMS/SAR- /11.07.2023/ **3P/6C**