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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.ILANGOVAN

CRL OP(MD). No.12245 of 2023

M.P.R.Malaiyandi, ... Petitioner/Accused 1

Vs

The State rep.by
The Inspector of Police,
M.Chatrapatti Police Station,
Madurai District.
(Crime No.93/2023). ... Respondent/Complainant

For Petitioner : S.RAMSUNDARVIJAYRAJ,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.93/2023 on the file of the Respondent Police.
ORDER : The Court made the following order :-

The petitioner/Accused No.1, apprehending arrest at the hands of the respondent police for the alleged offence punishable under Sections 109, 294(b), 506(i) of IPC r/w Section 4 of TNPHW Act, in Crime No.93 of 2023 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the defacto complainant's complaint has donated two horses to the Village Temple. Over which the accused persons get angry with the defacto complainant and her husband. On the basis of the above said, the accused persons demanded money from the defacto complainant's husband to construct a separate temple for them. Since the same was refused, the accused persons assaulted the her and also threatened them with dire consequences. Hence, the complaint.

3.The learned counsel for the petitioner would submit that the petitioner is an innocent person. He was falsely implicated in this case.

4.The learned Government Advocate (Crl. Side) would submit that except this case, there is no bad antecedent reported against these petitioner and in that village also, there is no such previous

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occurrence happened. Apart from that he would submit ne proceedings under Section 107 of Cr.P.C., has been initiated against the above said persons, which is stated to be pending. The injured has been discharged from the hospital.

5. Considering the nature of offence, the overt act attributed against the petitioner, the injured person has been discharged from the hospital and there is no previous case registered against these petitioners, this Court is inclined to grant anticipatory bail to the petitioners.

6. 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 - V, 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 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/-
06/07/2023

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/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 NO.V, MADURAI.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, MADURAI DISTRICT.

3 THE INSPECTOR OF POLICE,
M.CHATRAPATTI POLICE STATION, MADURAI DISTRICT.

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

+1. CC to S.RAMSUNDARVIJAYRAJ Advocate SR.No.10318

ORDER IN
CRL OP(MD) No.12245 of 2023
Date :06/07/2023

SA/BUC/SAR. /18.07.2023/2P/6C

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