



CRL OP(MD). No.12290 of 2023

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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.12290 of 2023

1. Prabhakaran

2. Veeramalai

... Petitioners/ Accused Rank Not Known

Vs

State Rep.by
The Inspector of Police,
Annanagar Police Station,
Madurai.
Crime No.427/2023..

... Respondent/Complainant

For Petitioners : M/s.Shankar Ganesh.R,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.427/2023 on the file of the respondent
police

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



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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, 427, 506(i) I.P.C, in Crime No.427 of 2023 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that there was dispute between the parties over a running of Sweet Stall, the accused persons had abused the defacto complainant in filthy language and caused damages to the Chimney to the tune of Rs.50,000/- and also caused dire consequences. Hence, the complaint.

3. The learned counsel for the petitioners submitted that the petitioners are innocent and a false case has been foisted against them, on account of civil dispute. The injured has been discharged from the hospital. Hence, prays to grant anticipatory bail to the petitioners.

4.The learned Government Advocate (Crl.Side) submitted that in this case, though the injured has been discharged from the hospital and the petitioners are not having any previous case at their credit, the accused persons had abused and caused damages to the tune of Rs.50,000/-. 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. Considering the fact that the injured has been discharged from the hospital and the petitioners are not having any previous case at their credit, this Court is inclined to grant anticipatory bail to the petitioners with stringent conditions.

7. Accordingly, this Criminal Original Petition is allowed on condition that the petitioners shall deposit a sum of (*)Rs.5,000/- (Rupees Five Thousand only) to the credit of Cr.No.427 of 2023 before the trial Court concerned, without prejudice to his rights and contentions before the trial Court.

8. On such deposit being made, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, before the learned Judicial Magistrate No.6, Madurai, 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.



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9.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/-
06/07/2023

(*)For Being mentioned as per Order of this Hon`ble Court dated 19/07/2023 in Crl.OP(MD).12290/2023

(*)Time is extended for a period of 15 days, from the date of receipt of a copy of this order

/ TRUE COPY /

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

PNM

TO
TO BE SUBSTITUED WITH THE ORDER DATED 06/07/2023 ALREADY
DESPATCHED

- 1 THE JUDICIAL MAGISTRATE NO.VI
MADURAI.
- 2 DO-THROUGH :
THE CHIEF JUDICIAL MAGISTRATE,
MADURAI DISTRICT.
- 3 THE INSPECTOR OF POLICE
ANNANAGAR POLICE STATION, MADURAI.



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

+1 CC to M/s.R.SHANKAR GANESH, Advocate (SR-11029[I] dated 20/07/2023)

ORDER
IN

CRL OP(MD) No.12290 of 2023
Date :06/07/2023

PKP/ /SAR- /10.07.2023/ 5P/6C

PNM

PKP/DD/SAR- /26.07.2023/ 5P/6C

Madurai Bench of Madras High Court is issuing certified
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