



CRL OP(MD). No.12352 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 07.07.2023

PRESENT

The Hon'ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.12352 of 2023

Esakkimuthu @ Raja

... Petitioner / Accused Rank not known

Vs

The State, represented by
The Inspector of Police,
Alwarkurichi Police Station,
Tenkasi District.
(Crime No.93 of 2023).

... Respondent / Complainant

For Petitioner : Mr.Narayanakumar.KP, 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 of 2023 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner/ Accused rank not known, apprehending arrest at the hands of
the respondent police for the alleged offence punishable under Sections 143 and 427



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IPC, 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 lodged a complaint stating that on 11.05.2023 at about 10.00 a.m., the party flag was installed near community hall, Middle Street, Vahaikulam. On 12.05.2023, the above said flag was found damaged and the foundation stone was also broken. On the basis of the above said offence, this case has been registered under Sections 143 and 427 of IPC.

3. The learned counsel for the petitioner submitted that petitioner is innocent and he has been falsely implicated in this case.

4. The learned Additional Public Prosecutor for the respondent Police submitted that only based upon the confession statement of A1, this petitioner has been implicated in this case and there is no previous case is pending against the petitioner either similar in nature or any other offence.

5. Considering the facts and circumstance of this case and considering that no previous case is pending against the petitioner, this Court is inclined to grant anticipatory bail to the petitioner.

6. Accordingly, this Criminal Original Petition is allowed and petitioner is ordered to be released on bail in the event of arrest or on his appearance, before the learned Judicial Magistrate, Ambasamudram, on condition that the petitioner shall



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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/-
07/07/2023

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

INDU

To

1.The Judicial Magistrate,
Ambasamudram.

2.Do through the Chief Judicial Magistrate,
Tirunelveli District.

3.The Inspector of Police,
Alwarkurichi Police Station,
Tenkasi District.



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

+1 CC to M/s.K.P.NARAYANAKUMAR, Advocate (SR-10440[I] dated
10/07/2023)

ORDER
IN
CRL OP(MD) No.12352 of 2023
Date :07/07/2023

ED/BUC/SAR- (26/07/2023) 4P / 6C

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