



CRL OP(MD). No.12386 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.12386 of 2023

Thirumalai @ Vellaichamy

... Petitioner / Sole Accused

Vs

The State, represented by
The Inspector of Police,
Natham Police Station,
Dindigul District.
(Crime No.93 of 2022).

... Respondent / Complainant

For Petitioner : Mr.Abdul Subahan.K.M, 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.93 of 2022 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner/Sole Accused, apprehending arrest at the hands of the respondent Police for the alleged offence punishable under Sections 294(b), 427, 506

(ii) of IPC, in Crime No.93 of 2022 on the file of the respondent Police, seeks

anticipatory bail.

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



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2. The case of the prosecution is that the defacto complainant has purchased land from one Andimannan with few trees and the petitioner had cut the above said trees, when the same was questioned by the defacto complainant, the petitioner assaulted him with weapon. Hence, the complaint.

3. The learned counsel for the petitioner submitted that petitioner is innocent and he has been falsely implicated in this case. Further, the above said land in dispute classified as odai puramboke land, in which the defacto complainant has no manner of right or title and the petitioner is aged about 80 years.

4. The learned Additional Public Prosecutor for the respondent Police submitted that it is the issue between the neighbours over the property. As per the allegation that is made by the defacto complainant, the property originally worth about Rs.40,000/- has been damaged. Further he would submit that Final Report has been filed before the learned Judicial Magistrate, Natham, Dindigul District, on 25.01.2023, but it has not been taken cognizance so far.

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



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learned Judicial Magistrate, Natham, Dindigul District, on condition that the petitioner shall deposit Rs.40,000/- to the credit of this crime number before the concerned trial Court. 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/-
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,
Natham, Dindigul District.

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



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3.The Inspector of Police,
Natham Police Station,
Dindigul District.

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

+1 CC to M/s.K.M.ABDUL SUBAHAN, Advocate (SR-10353[I] dated 07/07/2023)

ORDER
IN
CRL OP(MD) No.12386 of 2023
Date :07/07/2023

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

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