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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 14/07/2023

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). Nos.12623 and 12667 of 2023

1.K.Rajesh
2.S.Senthilnathan
3.S.Kannan

... Petitioners / Accused Nos.1 to 3
in Crl.O.P(MD)No.12623 of 2023

Ramalakshmi

... Petitioner / Accused No.4
in Crl.O.P(MD)No.12663 of 2023

Vs

State represented by
The Inspector of Police,
Perumalpuram Police Station,
Tirunelveli City,
Tirunelveli District.
in Crime No.295 of 2023.

... Respondent/Complainant
in both cases

For Petitioners
(IN CRL OP(MD).12623/2023)

: M/s.R.L.Dhilipan Pandian,
Advocate

For Petitioners
(IN CRL OP(MD).12623/2023)

: M/s.S.Jeyakumar, Advocate

For Respondent
(IN BOTH CASES)

: Mr.S.Manikandan
Government Advocate (Crl.side)



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

PRAYER :-

For Anticipatory Bail in Crime No.295/2023 on the file of the respondent police.

COMMON ORDER : The Court made the following order :-

The petitioners/Accused Nos.1 to 4, apprehending arrest at the hands of the respondent police for the alleged offence punishable under Sections 147, 427, 448, 294 (b) and 506(ii) of IPC in Crime No.295 of 2023 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that due to some land dispute between the petitioners and the defacto complainant, the petitioners have assaulted the defacto complainant and damaged his properties. Hence the complaint.

3. The learned counsel for the petitioner submitted that the petitioners are innocent. They have not committed any offence as alleged by the prosecution. They have been wrongly implicated in this case. Hence pray for the relief of anticipatory bail.

4.The learned Government Advocate (Crl.side) would submit that the petitioners have damaged the properties of the defacto complainant worth about Rs.1 Lakhs.

5. Considering the damage that has been caused to the windows as well as the

Car and two wheeler that Rs.50,000/- each to be deposited by the petitioners, to the

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credit of the Crime No.295 of 2023 before the trial Court. Eventhough, it is submitted by the learned counsel for the petitioner that on the date of occurrence, one Ramalakshmi was not available in the place of occurrence and she was attending her duty in Madurai and those facts can be taken into account only at the time of investigation or at the time of trial.

6. Accordingly, this Criminal Original Petition is allowed on condition that the petitioners shall deposit a sum of Rs.50,000/- (Rupees Fifty Thousand only) each, to the credit of Cr.No.295 of 2023 before the trial Court concerned, without prejudice to his rights and contentions before the trial Court.

7. 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.1, Tirunelveli, Tirunelveli District, 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.

8. 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.

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14/07/2023

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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.I, TIRUNELVELI DISTRICT.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, TIRUNELVELI DISTRICT.

3 THE INSPECTOR OF POLICE, PERUMALPURAM POLICE STATION,
TIRUNELVELI CITY, TIRUNELVELI DISTRICT.

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

+1 CC TO MR.S.JEYAKUMAR, ADVOCATE, SR-10885[I]

ORDER
IN

CRL OP(MD). Nos.12623 and 12667 of 2023

Date :14/07/2023

RS/VR/SAR-(21.07.2023) 4P 6C

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