



CRL OP(MD). No.12608 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 24/07/2023

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.12608 of 2023

B.Manmadhan

... Petitioner/ Accused No.4

Vs

The State represented by
The Inspector of Police,
Usilampatty Town Police Station,
Madurai District.
(Crime No.327 of 2023).

... Respondent/Complainant

For Petitioner : Mr.SM.Ramasiva, Advocate.

For Respondent : Mr.B.Nambiselvan,
Additional Public Prosecutor

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

PRAYER :-

For Anticipatory Bail in Crime No.327 of 2023 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/Accused No.4, apprehending arrest at the hands of the respondent police for the alleged offence punishable under Sections 341, 294(b), 323, 307, 506(ii) and 109 of I.P.C, in Crime No.327 of 2023 on the file of the respondent



Police, seeks anticipatory bail.

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2. The case of the prosecution is that while the fifth accused was running a marriage hall near the defacto complainant's house. At the time of any function, the defacto complainant had requested to reduce the sound of the songs, which was played in the marriage hall. Regarding that, the other accused had quarrel with the defacto complainant. On 30.06.2023, the accused Nos.1 to 4 had physically attacked the defacto complainant and caused injury to him. Hence, the complaint.

3. The learned counsel for the petitioner would submit that the petitioner is an innocent and he is no way connected on this case.

4. The learned Government Advocate (Crl. Side) for the respondent Police submitted that on simple issue between the neighbours, the above said enmity exist.

5. According to the learned counsel for the defacto complainant volume that was played in the radio attached to the marriage hall, he was making objection. Over the above said issue, the above said quarrel arose between the parties and on the particular date, he was dashed with two wheeler by the accused with intention to kill him. On the basis of the above said, the complaint has been registered.

6. The learned Additional Public Prosecutor would further submit that the accused Nos.1 to 3 were released on bail by the Principal Sessions Court, Madurai, dated 18.07.2023. The petitioner is having one previous case at his credit.



CRL OP(MD). No.12608 of 2023

7. Considering the facts and circumstances of this case and considering the fact that the co-accused have been granted bail, this Court is inclined to grant anticipatory bail to the petitioner.

8. 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 No.I, Usilampatti, Madurai District, 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.

9. 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/-
24/07/2023

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/08/2023
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

INDU



CRL OP(MD). No.12608 of 2023

TO

1 THE JUDICIAL MAGISTRATE NO.I, USILAMPATTI.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, THENI DISTRICT.

3 THE INSPECTOR OF POLICE, USILAMPATTY TOWN POLICE STATION,
MADURAI DISTRICT.

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

ORDER

IN

CRL OP(MD) No.12608 of 2023

Date :24/07/2023

RS/MR/SAR-(31.07.2023) 4P 5C

Madurai Bench of Madras High Court is issuing
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