



CRL OP(MD). No.13052 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Date : 18/07/2023

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

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Muthukrishnan

... Petitioner / Accused No.3

Vs

State represented by
The Inspector of Police,
Mukkudal Police Station,
Tirunelveli District.
(In Crime No.69 of 2023)

... Respondent/Complainant

For Petitioner : M/s.C.Saravanakumar , 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.69 of 2023 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner / Accused No.3, apprehending arrest at the hands of the respondent police for the alleged offence punishable under Sections 294(b), 355, 323



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and 506(ii) of IPC, in Crime No.69 of 2023 on the file of the respondent police, seek anticipatory bail.

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2. The case of the prosecution is that the defacto complainant is a police constable at Courtalam police station. On the date of occurrence, he went to Tirunelveli Medical College Hospital and when he returned to Courtalam, near Mukkudal Main road, some persons quarrelled with each other. The defacto complainant questioned them and therefore, the accused has abused him in filthy language and attacked him with stick and hands and also threatened the defacto complainant. Hence, the complaint.

3. The learned counsel for the petitioner submitted that the petitioner is innocent and he has not committed any offence as alleged by the prosecution. He has been falsely implicated in this case. Therefore, seek for the relief of anticipatory bail.

4. The learned Additional Public Prosecutor would submit that it is a third anticipatory bail petition and there is no change in circumstances.



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5. Reading of the FIR shows that because of the accident that occurred on 14.06.2023 on the Mukkoodal main road, trouble has raised by the public that some persons have assaulted the driver of the offending vehicle. The defacto complainant intervened and he was abused and assaulted. On the basis of the above said occurrence, a case was registered in Crime No.69 of 2023. According to the learned counsel for the petitioner a complaint was also given by him which is pending in C.S.R.No.192 of 2023 dated 14.05.2023 and no further action has been taken on the complaint. The earlier petitions for anticipatory bail was dismissed on the ground that the petitioner has involved in previous cases.

The details of the previous cases are also furnished. They are as follows:

- 1) Cr.No.119/2010 under Section 294(b), 323, 506(ii) of IPC,
- 2) Cr.No.126/2011 under Section 75 TNCP Act
- 3) Cr.No.196/2011 under Section 4(1)-TNOPPD Act
- 4) Cr.No.196/2014 under Section 107 Cr.P.C.

6. In view of the development and considering the fact that is a case, case in counter and the above said incident was taken due to the sudden quarrel between the petitioner and the defacto complainant over an accident issue, this Court is inclined



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to grant anticipatory bail to the petitioners with certain conditions.

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7. Accordingly, this Criminal Original Petition is allowed and the petitioners are ordered to be released on bail in the event of arrest or on their appearance, before the learned Judicial Magistrate, Cheranmahadevi, 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.

sd/-
18/07/2023

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/07/2023

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

pnn

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



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WITTO COPY

- 1.THE JUDICIAL MAGISTRATE, CHERANMAHADEVI,.
 - 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
TIRUNELVELI.
 - 3.THE INSPECTOR OF POLICE,
MUKKUDAL POLICE STATION,
TIRUNELVELI DISTRICT.
 - 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- +1. CC to M/S.C.SARAVANAKUMAR Advocate SR.No.10932

ORDER
IN
CRL OP(MD) No.13052 of 2023
Date :18/07/2023

RK /DD(28/07/2023) 5P / 6C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17/07/2023