



CRL OP(MD). No.12771 of 2023

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

Date : 28/07/2023

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.12771 of 2023

Shanmugavel

... Petitioner/ Accused No.1

Vs

The State, represented by
The Inspector of Police,
Keeraithurai Police Station,
Madurai District.
(Crime No.603 of 2023).

... Respondent/Complainant

For Petitioner : Mr.P.Manikandan, 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.603 of 2023 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/ Accused No.1, apprehending arrest at the hands of the respondent Police for the alleged offence punishable under Sections 147, 148, 294(b), 341, 323, 324, 307 and 506(ii) of I.P.C, in Crime No.603 of 2023 on the file of the



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respondent Police, seeks anticipatory bail.

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2. The case of the prosecution is that on 04.07.2023 at about 9.00 p.m., the accused person assembled with knife, surrounded the defacto complainant and his friend, at that time, the accused Nos.1 to 3 assaulted the defacto complainant with aruval and caused injury to him. Thereafter, the defacto complainant escaped from the occurrence place and at that time, the accused persons criminally intimidated the defacto complainant.

3. The learned counsel for the petitioner would submit that the petitioner is an innocent and he has been falsely implicated in this case. Originally, the defacto complainant attacked the petitioner and his friends. Only to escape from the earlier occurrence done by the defacto complainant, the present case has been registered.

4. The learned Government Advocate (Crl. Side) for the respondent Police submitted that even though there is specific allegation made in the FIR to the effect that the petitioner has caused injury to the defacto complainant using Aruval, the above said injured person is absconding from the hospital. They are not in a position to collect the wound certificate of the injured person.

5. Apart from that, the learned counsel for the petitioner would submit that the petitioner is studying B.Com at Sowrashtra College, Madurai.

5. Considering the facts and circumstance of this case and considering that the



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petitioner is a college going student, 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 No.IV, Madurai, 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.

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/-
28/07/2023

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

INDU



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TO

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- 1 THE JUDICIAL MAGISTRATE NO.IV, MADURAI.
- 2 DO THROUGH:
THE CHIEF JUDICIAL MAGISTRATE, MADURAI DISTRICT.
- 3 THE INSPECTOR OF POLICE
KEERAITHURAI POLICE STATION, MADURAI CITY.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.P.PRAVEEN KUMAR, Advocate (SR-11591[I] dated 01/08/2023)

ORDER

IN

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Date :28/07/2023

PKP/DD/SAR- /08.08.2023/ 4P/6C

Madurai Bench of Madras High Court is issuing certified
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