



CRL OP(MD). No.12787 of 2023

WEB COPY

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

Date : 13/07/2023

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.12787 of 2023

T. Suresh Kumar

... Petitioner/Sole Accused

Vs

State Rep.by
The Inspector of Police,
Marthandam Police Station,
Kanniyakumari District.
(Crime No.228 of 2023).

... Respondent/Complainant

For Petitioner : M/s. Muthu Saravanan.C,Advocate

For Respondent : Mr.S.Manikandan,
Government Advocate (Crl.Side)

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

PRAYER :-

For Anticipatory Bail in Crime No.228 of 2023 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/Accused, apprehending arrest at the hands of the respondent police for the alleged offence punishable under Sections 294(b), 323 of



CRL OP(MD). No.12787 of 2023

I.P.C and Section 4 of TNPHW Act, in Crime No.228 of 2023, on the file of the respondent police, seeks anticipatory bail.

WEB COPY

2. The case of the prosecution as per the defacto complainant is that there was a money dispute between the parties, over which, the accused persons had abused and assaulted the defacto complainant. Hence, the complaint.

3. The learned counsel for the petitioner submitted that the petitioner is innocent and a false complaint has been foisted against him. Injured has been discharged from the hospital. Hence, prays to release the petitioner on anticipatory bail.

4.The learned Government Advocate (Crl.Side) submitted that the accused had abused and assaulted the defacto complainant. In this case, though the petitioner is not having any previous case at his credit and the injured has been discharged, the investigation is not yet completed. Hence, prays to dismiss the petition.

5.Heard the learned counsel appearing on either side and perused the materials placed before this Court.

6.Taking into consideration the facts and circumstances of the case and considering the fact that the injured has been discharged from the hospital and the petitioner is not having any previous case at his credit, this Court is inclined to grant



CRL OP(MD). No.12787 of 2023

anticipatory bail to the petitioner with certain conditions.

WEB COPY

7. 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, Kuzhithurai, Kanniyakumari 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.

8. 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/-
13/07/2023

/ TRUE COPY /

/07/2023
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

PNM



CRL OP(MD). No.12787 of 2023

TO

WEB COPY

- 1 THE JUDICIAL MAGISTRATE NO.1
KUZHITHURAI, KANNIYAKUMARI DISTRICT.
- 2 DO-THROUGH :
THE CHIEF JUDICIAL MAGISTRATE,
KANYAKUMARI DISTRICT @ NAGERCOIL
- 3 THE INSPECTOR OF POLICE
MARTHANDAM POLICE STATION,
KANNIYAKUMARI DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.C.MUTHU SARAVANAN, Advocate (SR-10798[I] dated 17/07/2023)

ORDER

IN

CRL OP(MD) No.12787 of 2023

Date :13/07/2023

PKP/MMS/SAR- /26.07.2023/ 4P/ 6C

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