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CRL OP(MD). No.14142 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 03/08/2023

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.14142 of 2023

R.Siva @ Sivakumar,

... Petitioner/ Accused 2

Vs

The Sub Inspector of Police,
Annavasal Police Station,
Pudukottai District.
Crime No.159 of 2023.

... Respondent/Complainant

For Petitioner : M/s.Divyapriya R,
Advocate.

For Respondent : Mr.R.Suresh Kumar,
Government Advocate (Crl.Side)

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

PRAYER :- For Anticipatory Bail in Crime No.159 of 2023 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/ Accused No.2, apprehending arrest at the hands of the respondent police for the alleged offences punishable under Sections 294(b), 448, 323, 324, 506(ii) of IPC in Crime No.159 of 2023, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that due to previous enmity, when the defacto

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complainant along with his brother and sister sleeping in their house, the petitioner along with other accused persons came to their house and caused assault upon them, abused them and criminally intimidated. Thereby, the defacto complainant sustained severe blood injuries. Hence, the complaint.

3. The learned counsel for the petitioner submitted that the petitioner is innocent and he has been falsely implicated in this case. The main accused A1 and A2 were arrested and released.

4. The learned Government Advocate (Crl. Side) for the respondent police submitted that the earlier application filed by the petitioner was dismissed by this Court, since the injured was in hospital. Now, the injured has been discharged from the hospital. There is no previous case against the petitioner. This is second anticipatory bail application.

5. Since the injured person has been discharged from the hospital and there is no previous case, 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, Illuppur, 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



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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/-
03/08/2023

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

TM
TO

1 THE JUDICIAL MAGISTRATE,
ILUPPUR.

2 DO THROUGH THE CHIEF JUDICIAL
MAGISTRATE, PUDUKOTTAI DISTRICT.

3 THE SUB INSPECTOR OF POLICE,
ANNAVASAL POLICE STATION,
PUDUKOTTAI DISTRICT.

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

+1. CC to M/S.SUNDARAPANDIAN S.S. Advocate SR.No.11743



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ORDER
IN
CRL OP(MD) No.14142 of 2023
Date :03/08/2023

SA/VR/SAR. /18.08.2023/4P/6C

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