



WEB COPY

CRL OP(MD). N



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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

CRL OP(MD). No.13038 of 2023

1.Sivakumar
2.Viswa

... Petitioners/Accused Nos.6 & 8

Vs

State Rep.by
The Inspector of Police,
Melattur Police Station,
Thanjavur District.
Crime No.117 of 2023.

... Respondent/Complainant

For petitioners : Mr.Senthil Murugan.C, Advocate
For Respondent : Mr.B.Nambiselvan,
Additional Public Prosecutor

PETITION FOR BAIL Under Sec.439 of Cr.P.C.

PRAYER :-

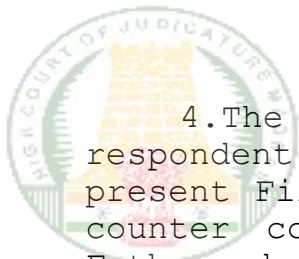
For Bail in Crime No.117 of 2023 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioners/Accused Nos.6 and 8, who were arrested on 01.06.2023 for the alleged offence under Section 147, 148, 294(b), 324, 506(ii) and 307 IPC r/w Section 4 of TNPHW Act, in Crime No.117 of 2023, on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the accused had love affair with the sister of the defacto complainant, regarding the same, dispute arose between them, for which, on 01.06.2023 these petitioners and other accused alleged to have assaulted the defacto complainant with deadly weapons. Hence, the complaint.

3.The learned counsel for the petitioners would submit that the petitioners are innocent and they have been falsely implicated in this case. The petitioners are in custody from 01.06.2023. Hence, prays to release him on bail.



4.The learned Additional Public Prosecutor appearing as respondent would submit that in respect of subject matter, the present First Information Report has been registered and so far the counter complaint has been registered in Crime No.116 of 2023. Further, he would submit that the first petitioner is having no previous case and the second petitioner is having one previous case at his credit and injured have been discharged from the hospital in both the matters and A1 is now absconding. Hence, prays to dismiss the petition.

5.Considering the facts and circumstances of this case and considering the period of incarceration, this Court is inclined to grant bail to the petitioners with certain conditions.

6.Accordingly, this Criminal Original Petition is allowed and the petitioners are ordered to be released on bail, on executing a personal 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 **Judicial Magistrate No.III, Thanjavur District**, and on further condition that the petitioners shall report before the respondent police daily at 10.30 a.m. until further orders.

sd/-

18/07/2023

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18/07/2023

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

Indu

TO

1 THE JUDICIAL MAGISTRATE NO.III, THANJAVUR DISTRICT.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
THANJAVUR DISTRICT AT KUMBAKONAM.

3 THE INSPECTOR OF POLICE, MELATTUR POLICE STATION,
THANJAVUR DISTRICT.

4 THE OFFICER INCHARGE, DISTRICT PRISON, THANJAVUR.

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

+1 CC to M/s.C.SENTHIL MURUGAN, Advocate (SR-10895[I] dated
18/07/2023)

ORDER IN

CRL OP(MD) No.13038 of 2023

Date :18/07/2023