



CRL OP(MD). No.13128 of 2023

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

Date : 19/07/2023

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.13128 of 2023

Shajahan

... Petitioner/ Accused

Vs

1.The State, represented by
The Sub-Inspector of Police,
South Gate Police Station,
Madurai District.
(Crime No.251 of 2023).

... 1st Respondent/Complainant

2.Elangovan.M

...2nd Respondent/Defacto
Complainant

For Petitioner : Mr.S.M.A.Jinnah
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.251 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



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Police for the alleged offence punishable under Sections 294(b), 324 and 506(ii) of I.P.C, in Crime No.251 of 2023 on the file of the respondent Police, seeks anticipatory bail.

2. On the basis of the complaint given by the defacto complainant, this case has been registered, alleging that when the defacto complainant went to TASMACH to buy liquor, the petitioner asked him Rs.50/- for buying liquor and the defacto complainant refused to pay the same, so the petitioner made serious quarrel against the defacto complainant and attacked him with knife and also caused injury to 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.

4. The learned Government Advocate (Crl. Side) for the respondent Police submitted that it is a case and counter case and injured have been discharged from the hospital in both the cases.

5. Considering the fact that it is a case and counter case and in both the cases, injured have been discharged from the hospital, this Court is inclined to grant



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anticipatory bail to the petitioner.

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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 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/-
19/07/2023

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

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

ORDER
IN
CRL OP(MD) No.13128 of 2023
Date :19/07/2023

RK /DD(27/07/2023) 4P /5 C

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