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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.13127 of 2023

1.Vasanth

2.Prasanth

3.Sarathi

4.Jeevan Raj

5.Eswaran

6.Arun @ Arunkumar.V

... Petitioners/ Accused Nos.3 to 5,7, 9 and 10

Vs.

State through

The Inspector of Police,

Melattur Police Station,

Thanjavur District.

In Crime No.117 of 2023.

... Respondent/Complainant

For Petitioners : Mr.Senthil Murugan.C
Advocate.

For Respondent : Mr.B.Nambiselvan,
Additional Public Prosecutor

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

PRAYER :-

<https://www.nmhc.madras.gov.in/> For Anticipatory Bail Crime No.117 of 2023 on the file of the Respondent Police.



ORDER : The Court made the following order :-

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The petitioners/Accused Nos.3 to 5, 7, 9 and 10, apprehending arrest at the hands of the respondent police for the alleged offence punishable under Section 147, 148, 294(b), 324, 506(ii) and 307 of I.P.C r/w Section 4 of TNPWH Act, in Crime No.117 of 2023 on the file of the respondent Police, seeks anticipatory bail.

2. The case of the prosecution is that the first accused had love affair with the relative of defacto complainant, regarding the same, dispute arose between them. On 01.06.2023, these petitioners and other accused persons attacked the defacto complainant with deadly weapon. Therefore, the present case came to be registered.

3. The learned counsel for the petitioners submitted that the petitioners are innocent and they have been falsely implicated in this case.

4. The learned Additional Public Prosecutor for the respondent Police submitted that the first and sixth petitioners are having no previous case, the third petitioner is arrested on 12.07.2023. So far the petitioners No.2, 4 and 5 are concerned, they are having previous bad antecedents. The co-accused was enlarged on bail by this Court dated 18.07.2023.

5. Considering the antecedents of the petitioners No.1 and 6 and co-accused was granted regular bail by this Court on 18.07.2023, **this Court is inclined to grant anticipatory bail to the petitioners No.1 and 6. Since the third petitioner was arrested on 12.07.2023, the matter has become infructuous** in respect of third



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petitioner. So far the petitioners No.2, 4 and 5 are concerned, **this Criminal Original Petition is dismissed**, since they are involved in previous cases in grievous nature.

6. Accordingly, this Criminal Original Petition is partly allowed the petitioners No.1 and 6 are ordered to be released on bail in the event of arrest or on his appearance, before the Additional Mahila (Judicial Magistrate Level), Thanjavur, on condition that the petitioners No.1 and 6 shall execute a 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 Magistrate concerned and the petitioners No.1 and 6 shall appear before the respondent Police daily at 10.30 a.m. until further orders. The petitioners No.1 and 6 shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously.

7. The petitioners No.1 and 6 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/-

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/07/2023

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

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- 1 THE ADDITIONAL MAHILA JUDGE
(MAGISTRATE LEVEL), THANJAVUR.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
THANJAVUR DISTRICT AT KUMBAKONAM.
- 3 THE INSPECTOR OF POLICE
MELATTUR POLICE STATION, THANJAVUR DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

+1 CC to M/s.C.SENTHIL MURUGAN, Advocate (SR-11084[I] dated 21/07/2023)

ORDER
IN
CRL OP(MD) No.13127 of 2023
Date :19/07/2023

SS/BUC/25/07/2023/4P/6C

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