



WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 20/07/2023

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.13220 of 2023

Immanuvel

... Petitioner/ Accused No.1

Vs

The State represented by
The Inspetor of Police,
Mukkudal Police Station,
Tirunelveli District.
Crime No.94 of 2023.

... Respondent/Complainant

For Petitioner : M/s.Sailendrababu.G., Advocate

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

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

PRAYER :-

For Anticipatory Bail in Crime No.94 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, 324,



307, 506(2) IPC, in Crime No.94 of 2023, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution as per the defacto complainant is that there was a pathway dispute between the parties, over which, on 25.06.2023, the accused persons had abused and assaulted the defacto complainant with bricks, in which, he sustained injuries on his head. 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 Additional Public Prosecutor submitted that the accused persons had abused and assaulted the defacto complainant. In this case, though the injured has been discharged, the co-accused/A2 is still in custody and the investigation is not yet completed. The petitioner is also having previous cases at his credit. 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, nature of offence and considering the fact that the injured has been discharged from the hospital and the petitioner is having only petty cases at his credit, this Court is



inclined to grant anticipatory bail to the petitioner with certain conditions.

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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, Seranmahadevi*, 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/-
20/07/2023

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

pnm

TO

1 THE JUDICIAL MAGISTRATE
SERANMAHADEVI.



WIBDO-THROUGH :

THE CHIEF JUDICIAL MAGISTRATE, TUTICORIN DISTRICT.

3 THE INSPETOR OF POLICE
MUKKUDAL POLICE STATION,
TIRUNELVELI DISTRICT.

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

+1 CC to M/s.G.SAILENDRA BABU, Advocate (SR-10987[I] dated 20/07/2023)

ORDER
IN
CRL OP(MD) No.13220 of 2023
Date :20/07/2023

SS/BUC/02/08/2023/4P/6C

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