



CRL OP(MD). No.13277 of 2023

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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.13277 of 2023

V.Sundar

... Petitioner/Sole Accused

Vs

State Rep.by
The Inspector of Police,
Pattukottai Town Police Station,
Thanjavur District.
(Crime No.468 of 2023).

... Respondent/Complainant

For Petitioner : M/s.Murugesan.D.R,Advocate

For Respondent : Mr.S.Manikandan,
Government Advocate (Crl.Side)

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

PRAYER :-

For Anticipatory Bail in Crime no.468 of 2023 on the file of the Respondent Police.

ORDER : The Court made the following order :-



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The petitioner/Accused, apprehending arrest at the hands of the respondent police for the alleged offence punishable under Sections 279, 294(b), 427, 506(i) of I.P.C, in Crime No.468 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 dispute between two bus operators, in respect of time in taking the bus, over which, on 11.07.2023, the accused had drove the bus in a rash and negligent manner and caused damages to the glass of the bus and also abused and threatened the defacto complainant. Hence, the complaint.

3. The learned counsel for the petitioner submitted that there was a dispute between the petitioner and the defacto complainant in respect of time in taking the bus, over which, a false complaint has been foisted against him. On the basis of complaint given by the petitioner, only CSR enquiry has been initiated against the defacto complainant. The petitioner is not having any previous case. Hence, prays to release the petitioner on anticipatory bail.

4.The learned Government Advocate (Crl.Side) submitted that there was dispute between the petitioner and the defacto complainant in respect of time in taking the bus, a case and CSR enquiry were pending against the parties. In this case, the investigation is not yet completed. Hence, prays to dismiss the petition.



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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 and considering the fact that a case and CSR enquiry pending against the parties, nature of dispute pending against the parties, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

7. Accordingly, this Criminal Original Petition is allowed on condition that the petitioner shall deposit a sum of Rs.2,000/- (Rupees Two Thousand only) to the credit of Cr.No.468 of 2023 before the trial Court concerned, without prejudice to his rights and contentions before the trial Court.

8. 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, Pattukottai, 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.



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9. 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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/07/2023
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

PNM
TO

- 1 THE JUDICIAL MAGISTRATE
PATTUKOTTAI.
- 2 DO-THROUGH :
THE CHIEF JUDICIAL MAGISTRATE,
THANJAVUR DISTRICT @ KUMBAKONAM
- 3 THE INSPECTOR OF POLICE
PATTUKOTTAI TOWN POLICE STATION,
THANJAVUR DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
CRL OP(MD) No.13277 of 2023
Date :20/07/2023

PKP/DD/SAR- /28.07.2023/ 4P/5C
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