



CRL OP(MD). No.13316 of 2023

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

Date : 21/07/2023

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.13316 of 2023

1. Rajendran

2. Vasanthakumar

3. Akash

... Petitioners/ Accused Nos. 1 to 3

Vs

State Rep.by
The Inspector of Police,
Koodakovil Police Station,
Madurai District.
(Crime No.98 of 2023).

... Respondent/ Complainant

For Petitioners : M/s.Prabhu.S,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.98 of 2023 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioners/ Accused, apprehending arrest at the hands of the respondent police for the alleged offence punishable under Sections 341, 294(b), 506



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(ii) IPC and Section 4 of TNPHW Act, in Crime No.98 of 2023 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that due to pathway dispute, on 11.07.2023, the accused persons waylaid the defacto complainant and abused with filthy language, assaulted him and also threatened him with dire consequences. Hence, the complaint.

3. The learned counsel for the petitioners submitted that it is a case in counter, based upon the complaint given by the petitioners, a counter case was registered in Crime No.99 of 2023 against the defacto complainant party and that in this case no one has been injured in the occurrence. Hence, prays to release them on anticipatory bail.

4.The learned Government Advocate (Crl.Side) appearing for the respondent would submit that based upon the complaint given by the petitioners, case in counter was registered in Cr.No.99 of 2023 against the defacto complainant party. Though in this case no one has been injured in the occurrence and there is no previous cases pending against the petitioners, in this case investigation is not yet completed. Hence, prays to dismiss the petition.

5.Heard the learned counsel appearing on either side and perused the materials placed before this Court.



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6.Considering the nature of dispute between the parties, that in this case no one has been injured in the occurrence, that the petitioners are not having any previous case at their credit and it is a case in counter, this Court is inclined to grant anticipatory bail to the petitioners.

7. Accordingly, this Criminal Original Petition is allowed and the petitioners are ordered to be released on bail in the event of arrest or on their appearance, before the learned Judicial Magistrate, Thirumangalam, on condition that the petitioners 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 shall appear before the respondent police daily at 10.30 a.m. until further orders. The petitioners shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously.

8.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/-
21/07/2023

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



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PNM
TO

- 1 THE JUDICIAL MAGISTRATE
THIRUMANGALAM.
- 2 DO-THROUGH :
THE CHIEF JUDICIAL MAGISTRATE,
MADURAI DISTRICT.
- 3 THE INSPECTOR OF POLICE
KODAKOVIL POLICE STATION,
MADURAI DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.S.PRABHU, Advocate (SR-11208[I] dated 25/07/2023)

ORDER
IN

CRL OP(MD) No.13316 of 2023
Date :21/07/2023

PKP/DD/SAR- /29.07.2023/ 4P/6C

Madurai Bench of Madras High Court is issuing certified
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