



CRL OP(MD). No.13315 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.13315 of 2023

1. Ramar

2. Sam Jebadurai

... Petitioners/ Accused No. 1 & 2

Vs

State Rep.by
The Inspector of Police,
Thoothukudi Central Police,
Thoothukudi District
Crime No.125/2023.

... Respondent/ Complainant

For Petitioner : M/s.Maya Perumal.S,Advocate

For Respondent : Mr.R.Suresh Kumar,
Government Advocate (Crl.Side)

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

PRAYER :-

For Anticipatory Bail in Crime No.125 of 2023 on the file of the respondent police

ORDER : The Court made the following order :-



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The petitioners/Accused, apprehending arrest at the hands of the respondent police for the alleged offence punishable under Sections 294(b), 324, 506 (ii) of I.P.C, in Crime No.125 of 2023 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that due to previous enmity, on 14.07.2023 the accused persons trespassed into the house of the defacto complainant, assaulted him with knife and abused with filthy language and also criminally threatened him with dire consequences. Hence, the complaint.

3.The learned counsel for the petitioners submitted that the petitioners are innocent and a false case was foisted against them, since there was a previous enmity between the parties. The petitioners are Law students. The injured has been discharged from the hospital. Hence, prays to release them on anticipatory bail.

4.The learned Government Advocate (Crl.Side) submitted that in this case, though the injured has been discharged from the hospital, the accused persons had abused and assaulted the defacto complainant. 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,



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considering the nature of petty issue and the fact that the injured has been discharged from the hospital, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

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 No.II, Thoothukudi, 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
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- 1 THE JUDICIAL MAGISTRATE NO.II
THOOTHUKUDI.
- 2 DO-THROUGH :
THE CHIEF JUDICIAL MAGISTRATE,
TUTICORIN DISTRICT.
- 3 THE INSPECTOR OF POLICE
THOOTHUKUDI CENTRAL POLICE,
THOOTHUKUDI DISTRICT
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.S.MAYA PERUMAL, Advocate (SR-11157[I] dated 24/07/2023)

ORDER
IN
CRL OP(MD) No.13315 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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