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CRL OP(MD). No.13324 of 2023

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.13324 of 2023

Kandavel

... Petitioner/ Accused 1

Vs

The Inspector of Police,
Karivalamvandhanallur Police Station,
Tenkasi District.
(Crime No.195 of 2023).

... Respondent/Complainant

For Petitioner : M/s.Veerapandi.P, 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.195 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 323, 353, 506(i) of I.P.C, in Crime No.195 of 2023, on the file of the respondent police, seeks anticipatory bail.

<https://www.mhc.tn.gov.in/judis> 2. The case of the prosecution as per the defacto complainant, who is



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working as the Inspector of Police, Taluk Police Station, Sankarankovil, is that on 15.07.2023 at about 12.15p.m., the accused persons gathered and agitated against TASMACH shops. The same was enquired by the defacto complainant. At that time, they scolded the defacto complainant with filthy language and threatened him with dire consequences, thereby, deter him from discharging his public duty. 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, due to previous motive. Hence, prays to release the petitioner on anticipatory bail.

4.The learned Government Advocate (Crl.Side) submitted that the petitioner along with other accused persons had abused the defacto complainant with filthy language and threatened him with dire consequences, thereby, deter him from discharging his public duty. The petitioner is having two previous cases to 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 and considering the nature of offence, 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, Sankarankovil, 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/-
21/07/2023

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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,
SANKARANKOVIL.

2 DO THROUGH THE CHIEF JUDICIAL
MAGISTRATE, TIRUNELVELI DISTRICT.

<https://www.hmc.tn.gov.in/judis>



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3 THE INSPECTOR OF POLICE,
KARIVALAMVANDHANALLUR POLICE STATION,
TENKASI DISTRICT.

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

ORDER
IN
CRL OP(MD) No.13324 of 2023
Date :21/07/2023

SA/DD/SAR. /31.07.2023/4P/5C
Madurai Bench of Madras High Court is issuing
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