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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 25/07/2023
PRESENT

The Hon'ble Mr.Justice G.ILANGOVAN

CRL OP(MD). No.13566 of 2023

Sadaiyandi ... Petitioner/Sole Accused

Vs.

State through
The Sub-Inspector of Police,
Odaipatti Police Station,
Theni District.
In Crime No.19 of 2023. ... Respondent/Complainant

For Petitioners : Mr.S.SUNDARAPANDIAN
Advocate.
For Respondent : Mr.B.NAMBISELVAN,
Additional Public Prosecutor

PETITION FOR BAIL Under Sec.439 of Cr.P.C.

PRAYER :- For Bail in Crime No.19 of 2023 on the file of the Respondent Police.
ORDER : The Court made the following order :-

The petitioner/Sole Accused, who was arrested on 26.06.2023 for the alleged offence under Sections 294(b) and 307 IPC, in Crime No.19 of 2023 on the file of the respondent Police, seeks bail.

2. The prosecution case is that the defacto complainant's father bitten the petitioner's nose for five months ago and the village elders have conciliated both of

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them. Because of the above said previous issue, the continuous enmity exist between them. On 20.02.2023, the petitioner has entered into quarrel with the defacto complainant's father, thereafter, due to the above said motive, the petitioner had stabbed the defacto complainant's father with knife on his left side stomach and caused injury. Hence, the complaint.

3.The learned counsel for the petitioner submitted that the petitioner has not committed any offence as alleged by the prosecution. He would further submit that the petitioner is in judicial custody for the past 30 days. Injured has been discharged from the hospital. The earlier bail application that was filed by the petitioner was dismissed by the Principal Sessions Court, Theni, dated 07.07.2023.

4.The learned Additional Public Prosecutor appearing for the respondent Police submitted that it is a case and counter case. In the counter case that has been registered in Crime No.18 of 2023, the petitioner also sustained injury. The petitioner is having one previous cases at his credit. The injured have been discharged from the hospital in both the cases.

5.Considering the facts and circumstances of this case and considering the period of incarceration and injured have been discharged from the hospital in both the cases, this Court is inclined to grant bail to the petitioner only with certain conditions;

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6.Accordingly, this Criminal Original Petition is allowed and the petitioner is ordered to be released on bail, on executing a personal 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 Judicial Magistrate, Uthamapalayam, Theni District, on further condition that the petitioner shall report before the respondent Police daily at 10.30 a.m. until further orders.

sd/-
25/07/2023

/ TRUE COPY /

25/07/2023
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

INDU
TO
1 THE JUDICIAL MAGISTRATE, UTHAMAPALAYAM, THENI DISTRICT.
2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, THENI DISTRICT.
3 THE OFFICER INCHARGE, DISTRICT PRISON, THENI.

4 THE SUB-INSPECTOR OF POLICE,
ODAIPATTI POLICE STATION, THENI DISTRICT.

5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
+1. CC to M/S. SUNDARAPANDIAN.S Advocate SR.No.11215

ORDER IN
CRL OP(MD) No.13566 of 2023
Date :25/07/2023

SA/SAR. /25.07.2023/3P/7C
Madurai Bench of Madras High Court is issuing certified copies in this format from 17/07/2023.

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