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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.ILANGO VAN

CRL OP(MD). No.13531 of 2023

Vivek

... Petitioner/ Accused Rank not known

Vs

The State represented by
The Inspector of Police,
Cumbum North Police Station,
Theni District,
Crime No.150/2023.

... Respondent/Complainant

For Petitioner : M/s.Kavin Kumar, 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.150 of 2023 on the file of the respondent police

ORDER : The Court made the following order :-

The petitioner/accused, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 147, 148, 447, 294(b), 324, 323, 427 and 506(2) IPC, in Crime No.150 of 2023, on the file of the respondent police, seeks anticipatory bail.



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2. The case of the prosecution is that due to civil dispute, on 19.05.2023, the accused persons abused and attacked the defacto complainant and also threatened him with dire consequences. Hence, the complaint.

3. The learned counsel for the petitioner submitted that he is innocent and not committed any such offence, as alleged by the prosecution. The co-accused have already been enlarged on bail. Hence, prays to release him on anticipatory bail.

4. The learned Government Advocate (Crl. Side) for the respondent police submitted that though the petitioner is not having any previous case, 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. Considering the facts that the petitioner is not having any previous case and that the co-accused have already been enlarged on bail, this Court is inclined to grant anticipatory bail to the petitioner.

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, Uthamapalayam*, 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 Judge



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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 Judge 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/-
25/07/2023

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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
UTHAMAPALAYAM.

2 DO-THROUGH :
THE CHIEF JUDICIAL MAGISTRATE, THENI DISTRICT.

3 THE INSPECTOR OF POLICE
CUMBUM NORTH POLICE STATION, THENI DISTRICT

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

+1 CC to M/s.S.VIDHAYASAGAR, Advocate (SR-11222[I] dated 25/07/2023)

ORDER
IN

CRL OP(MD) No.13531 of 2023

Date :25/07/2023

<https://www.himadras.gov.in/judis> SS/MR/29/07/2023/3P/6C

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