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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 16/08/2023

PRESENT

The Hon'ble Mr.Justice G.ILANGO VAN

CRL OP(MD) No.13801 of 2023

L.Stephenraj

... Petitioners/Sole Accused

Vs

The State of Tamil Nadu,
The Inspector of Police,
Tiruchendur Police Station,
Tiruchendur, Tuticorin District.
Crime No.230/2023.

... Respondent/Complainant

For Petitioner : Mr.KA.Raamakrishnan,
Advocate.

For Respondent : Mr.B.Nambiselvan,
Additional Public Prosecutor

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

PRAYER :-

For Anticipatory Bail in Crime No.230/2023 on the file of the Respondent police.

ORDER : The Court made the following order :-

The petitioners/Sole Accused, apprehending arrest at the hands of the respondent Police for the alleged offence punishable under Sections 279, 337, 294(b),



324, 307, 506(ii) of IPC in Crime No.230 of 2023 on the file of the respondent Police,
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seek anticipatory bail.

2. The case of the prosecution is that the petitioner is the brother-in-law of the defacto complainant and a civil suit is pending between the parties. Due to civil motive, when the defacto complainant coming from Tiruchendur to Veerapandiapattinam, the petitioner rashly hit the defacto complainant, made him to fall down and stabbed on his abdomen using knife. Hence, the complaint.

3. The learned counsel for the petitioner would submit that the petitioner is an innocent and is not involved in any such offences as alleged by the prosecution.

4. On 07.08.2023, the petitioner was directed to file an undertaking affidavit, on that ground this matter has been listed today.

5. Today, the petitioner has filed an undertaking affidavit that he will not make any trouble to the defacto complainant's party.

6. On the basis of the undertaking affidavit that was filed by the petitioner and on considering the nature of offence, this Court is inclined to grant anticipatory bail to the petitioner.



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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 their appearance, before the learned Judicial Magistrate, Tiruchendur, Tuticorin District, 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 on receipt of summons and as and when requires for interrogation. 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. If there is any violation of affidavit or if any fresh case is registered against him, the bail granted by this Court shall stand cancelled automatically without any reference to the Court.

sd/-

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/08/2023

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



TO
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- 1 THE JUDICIAL MAGISTRATE,
TIRUCHENDUR.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
THOOTHUKUDI DISTRICT.
- 3 THE INSPECTOR OF POLICE
TIRUCHENDUR POLICE STATION,
TIRUCHENDUR
TUTICORIN DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

+1 CC to M/s.RAMAKRISHNAN.KA, Advocate (SR-12481[I] dated 18/08/2023)

ORDER
IN
CRL OP(MD) No.13801 of 2023
Date :16/08/2023

SS/BUC/23/08/2023/4P/6C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17/07/2023