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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 01/08/2023

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.13971 of 2023

Kumar

... Petitioner/Sole Accused

Vs

The Inspector of Police,
Chokkampatti Police Station,
Tenkasi District.
(Crime No.94 of 2023).

... Respondent/Complainant

For Petitioner : M/s. R. Velmurugan,
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.94 of 2023 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/Sole Accused, apprehending arrest at the hands of the respondent

<https://www.mca.gov.in/> police for the alleged offence punishable under Sections 294(b), 323, 324 and 506(i) of



IPC, on the file of the respondent police, seeks anticipatory bail.

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2. The case of the prosecution is that there is a matrimonial dispute between the parties. The petitioner mortgaged 70 sovereigns of gold jewels belongs to the defacto complainant, which was again redeemed by the defacto complainant's father and now it is in the custody of her father. The same was questioned by the petitioner in drunken mood, he abused her in filthy language and also gave torture. Hence, the complaint.

3. The learned counsel for the petitioner submitted that the petitioner is innocent and he has been falsely implicated in this case.

4. The learned Government Advocate (Crl. Side) for the respondent police submitted that there is no previous case pending against the petitioner. The injured person has been discharged from the hospital. There is a matrimonial dispute between the parties.

5. Considering the nature of offence, the overt act attributed against the petitioner and the injured person has been discharged from the hospital, this Court is inclined to grant anticipatory bail to the petitioner.



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6. Accordingly, this Criminal Original Petition is allowed and petitioner is ordered to be released on bail in the event of arrest or on his appearance, before the learned Judicial Magistrate, Tenkasi, 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.

7. 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/-
01/08/2023

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/08/2023
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.



WTO COPY

- 1 THE JUDICIAL MAGISTRATE,
TENKASI.
 - 2 DO-THROUGH :
THE CHIEF JUDICIAL MAGISTRATE, TIRUNELVELI.
 - 3 THE INSPECTOR OF POLICE
CHOKKAMPATTI POLICE STATION,
TENKASI DISTRICT.
 - 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.
- +1 CC to M/s.R.VELMURUGAN, Advocate (SR-11574[I] dated 01/08/2023)

ORDER
IN
CRL OP(MD) No.13971 of 2023
Date :01/08/2023

SS/MMS/07/08/2023/4P/6C

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