



CRL OP(MD). No.14017 of 2023

WEB COPY 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.14017 of 2023

Pandimurugan,

... Petitioner/ Accused No.2

Vs

The State rep.by,
The Inspector of Police,
Sivakasi East Police Station,
Virudhunagar District.
(Crime No.287/2023)..

... Respondent/Complainant

For Petitioner : Mr.S.Veerapandiselvaraj,
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.287/2023 on the file of the Respondent Police.



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ORDER : The Court made the following order :-

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The petitioner/ Accused No.2, apprehending arrest at the hands of the respondent police for the alleged offence punishable under Sections 448, 452, 294(b), 324, 506(ii) I.P.C. altered into Sections 448, 452, 294(b), 324, 506(ii) I.P.C. r/w. 109 of IPC, in Crime No.287 of 2023 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the defacto complainant doing real estate business. While so, one of his relative intended to sell her property. Hence, the defacto complainant informed the same to one Ammakutty. When the same was verified with VAO, he told that the land was already sold to another person. Therefore, with motive, at the instigation of the said Ammakutty, the petitioner along with other accused persons trespassed into the house of the defacto complainant, assaulted him, abused him in filthy language and caused severe injuries. 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.



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4. The learned Government Advocate (Crl. Side) for the respondent police submitted that there are two accused in this case. The petitioner is A2. A1 was arrested and still in custody. There is land dispute between the defacto complainant and the petitioner. The injured person in this case has been discharged from the hospital.

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.

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 No.II, Sivakasi, 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.



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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.

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TO

1.THE JUDICIAL MAGISTRATE NO.II,
SIVAKASI.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
SIVAKASI.

3.THE INSPECTOR OF POLICE,
SIVAKASI EAST POLICE STATION,
VIRUDHUNAGAR DISTRICT.

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



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+1. CC to S.VEERAPANDISELVARAJ Advocate SR.No.11583

**ORDER
IN
CRL OP(MD) No.14017 of 2023
Date :01/08/2023**

RK /VRS(04/08/2023) 5P / 6C

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



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