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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.14064 of 2023

Karthikeyan @ Karthi

... Petitioner/ Accused No.1

Vs

The State, represented by
The Inspector of Police,
Thiruvaidaimaruthur Police Station,
Thiruvaidaimaruthur, Thanjavur District.
(Crime No.127 of 2016).

... Respondent/Complainant

For Petitioner : Mr.V.Selvakumar,
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.127 of 2016 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/ Accused No.1, apprehending arrest at the hands of the



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respondent police for the alleged offence punishable under Sections 341, 294(b), 307 of I.P.C, in Crime No.127 of 2016 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the defacto complainant's two younger brothers had murdered one Saravanan, due to which, they were convicted to life imprisonment. Due to above said retaliation, the deceased Saravanan's brother and other accused attacked the defacto complainant. Hence, the complaint.

3. The learned counsel for the petitioner would submit that the above said case is pending before the committal Court in P.R.C.No.66 of 2019 and the trial Court issued summons to the petitioner for appearance of committal proceedings. But the respondent Police unable to serve the summons.

4. By the order dated 02.08.2023, report has been called for from the trial Court as to why the warrant was issued to the petitioner.

5. Report has been submitted by the trial Court stating that inspite of repeated summons, it could not be served upon the petitioner. Finally, warrant was issued to the petitioner due to long pendency of the committal process.



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6. Considering the fact that the Final Report has been filed before the concerned trial Court, this Court is inclined to grant anticipatory bail to the petitioner.

7. 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 District Munsif cum Judicial Magistrate Court, Thiruvudaimaruthur, 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.

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.

sd/-
16/08/2023

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



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- 1 THE DISTRICT MUNSIF CUM JUDICIAL MAGISTRATE,
THIRUVIDAIMARUTHUR
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
THANJAVUR DISTRICT AT KUMBAKONAM.
- 3 THE INSPECTOR OF POLICE
THIRUVIDAIMARUTHUR POLICE STATION,
THIRUVIDAIMARUTHUR,
THANJAVUR DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER
IN
CRL OP(MD) No.14064 of 2023
Date :16/08/2023

SS/VR/23/08/2023/4P/5C

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