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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.14149 of 2023

1.Aravind

2.Abishek

3.Thirumurugan

... Petitioners/ Accused Rank Not Known
Vs.

State Rep. by
The Inspector of Police,
Aravayal Police Station,
Sivagangai District.
(Crime No.54 of 2023).

... Respondent/Complainant

For petitioners : Mr.T.Joshua,
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 Crime No.54 of 2023 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioners/ Accused rank not known, apprehending arrest at the hands of the respondent police for the alleged offence punishable under Section 294(b), 324, 506(ii) and 109 I.P.C, in Crime No.54 of 2023 on the file of the respondent police, seeks



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2. The case of the prosecution is that on 04.07.2023 at about 03.00 p.m., the accused persons came to the shop of the defacto complainant, abused and assaulted him with weapons, thereby, he sustained injuries in the hand and leg. They also threatened him with dire consequences. Hence, the complaint.

3. The learned counsel for the petitioners submitted that the petitioners are innocent and not committed any such offence, as alleged by the prosecution. Due to previous motive, a false complaint has been foisted against them. Hence, prays to release them on anticipatory bail.

4. The learned Government Advocate (Crl. Side) for the respondent Police submitted that except the third petitioner, other accused are having previous cases at their credit.

5. Considering the facts and circumstances of this case and also considering that the third petitioner is not having any previous cases and as per the First Information Report also, there is no specific overt act attributed against the third petitioner, hence

this Court is inclined to grant anticipatory bail to the third petitioner only. So far



the first and second petitioners are concerned, this Criminal Original Petition is **dismissed**, since they are involved in previous case, which is similar in nature.

6. Accordingly, this Criminal Original Petition is partly allowed on condition that the third petitioner is ordered to be released on bail in the event of arrest or on his appearance, before the learned Judicial Magistrate, Devakkottai, Sivagangai District, on condition that the second 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 third petitioner shall appear before the respondent Police daily at 10.30 a.m. until further orders. The third petitioner shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously.

7. The third 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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TO

- 1 THE JUDICIAL MAGISTRATE,
DEVAKOTTAI, SIVAGANGAI DISTRICT.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
SIVAGANGAI DISTRICT.
- 3 THE INSPECTOR OF POLICE
ARAVAYAL POLICE STATION, SIVAGANGAI DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER
IN

CRL OP(MD) No.14149 of 2023

Date :16/08/2023

SS/BUC/22/08/2023/4P/5C

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