



CRL OP(MD). No.14101 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 02/08/2023

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.14101 of 2023

Balakrishnan

... Petitioner / Sole Accused

Vs

The State represented by
The Inspector of Police,
Eruvadi Police Station,
Tirunelveli District.
Crime No.153 of 2023.

... Respondent / Complainant

For Petitioner : M/s.C.Mayilvahana Rajendran, 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.153 of 2023 on the file of the Respondent Police.

ORDER : The Court made the following order :-

<https://www.mhc.tn.gov.in/judis>



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The petitioner/Accused, apprehending arrest at the hands of the respondent police for the alleged offence punishable under Sections 294(b), 323 and 506(ii) of IPC in Crime No.153 of 2023, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that already there was a quarrel between the defacto complainant and the sister-in-law of the petitioner. Due to the previous motive, on 23.07.2023 at about 02.00 p.m., when the defacto complainant was standing at the bus stop, the petitioner said to have abused him with filthy language, assaulted him with stick and threatened him with dire consequences. Hence the complaint.

3. The learned counsel for the petitioner submitted that the petitioner is an innocent, he has not committed any offence as alleged by the prosecution. He has been falsely implicated in this case. He seeks for the relief of anticipatory bail.

4. The learned Additional Public Prosecutor would submit that the injured in this case has been discharged from the hospital and the petitioner is having one previous case.

5. Considering the facts and circumstances of this case and also the fact that eventhough it is stated that the petitioner is having one previous case, the offences are simple issues. Therefore, this Court is inclined to grant relief to the petitioner.

6. Accordingly, this Criminal Original Petition is allowed and the petitioner is



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ordered to be released on bail in the event of arrest or on his appearance, before the learned Judicial Magistrate, Nanguneri, 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 on further condition that 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/-
02/08/2023

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

pnn

To

1 THE JUDICIAL MAGISTRATE, NANGUNERI.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
TIRUNELVELI DISTRICT.



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3 THE INSPECTOR OF POLICE
ERUVADI POLICE STATION,
THIRUNELVELI DISTRICT.

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

+1 CC to M/s.C.MAYIL VAHANA RAJENDRAN, Advocate (SR-11717[I] dated
02/08/2023)

ORDER
IN
CRL OP(MD) No.14101 of 2023
Date :02/08/2023

RS/MMS/SAR-3(14.08.2023) 4P 6C
Madurai Bench of Madras High Court is issuing
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