



CRL OP(MD). No.14284 of 2023

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 04/08/2023

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.14284 of 2023

Kaleeswaran

... Petitioners/ Accused No.1

Vs

State Rep.by
The Inspector of Police,
Devakottai Town Police Station,
Sivagangai District.
(In Crime No.159 of 2023).

... Respondent/Complainant

For Petitioner : M/s.A.Balaji, Advocate.
For Respondent : Mr.B.Nambiselvan,
Additional Public Prosecutor

PETITION FOR BAIL Under Sec.439 of Cr.P.C.

PRAYER :-

For Bail in Crime No.159 of 2023 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/ Accused No.1 herein, who was arrested on 04.07.2023 for the alleged offence under Sections 294(b), 341, 342, 307 and 506(ii) of IPC, in Crime

No.159 of 2023 on the file of the respondent police, seek bail.

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



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2.The case of the prosecution is that the defacto complainant has borrowed a sum of Rs.60,000/- from the petitioner. Out of which, he repaid Rs.40,000/- to him. Demanding remaining amount of Rs.20,000/-, the petitioner, along with other accused persons involved in wordy quarrel, in which, the accused persons attacked the defacto complainant with aruval, caused some injury, abused him in filthy language and also threatened with dire consequences. Hence, the complaint.

3.The learned counsel for the petitioner submitted that the petitioner is an innocent persons and he has been falsely implicated in this case and he has not committed any offence as alleged by the prosecution. He further submitted that the earlier bail Petition filed by the petitioner along with some other accused in Crl.OP (MD)No.13086 of 2023 was dismissed on 27.07.2023 by this Court, on the ground that the petitioner is having three previous cases to his credit. Now, this application is filed by the petitioner on the ground that the petitioner's name was deleted, while filing the final report before the concerned Court.

4. Heard the learned Additional Public Prosecutor (Crl.Side) appearing for the respondent police and also perused the materials available on record.

5. A perusal of alteration report shows that the petitioner's name was deleted, while filing the final report before the concerned Court.

6 .Considering the facts and circumstances of the case and also considering the



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period of incarceration undergone by the petitioner, this Court is inclined to grant bail to the petitioner with stringent conditions.

7. Accordingly, this Criminal Original Petition is allowed and the petitioner is ordered to be released on bail, on executing a personal 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 Judicial Magistrate, Devakottai, and on further condition that the petitioner shall report before the respondent police daily at 10.30 a.m. until further orders.

sd/-
04/08/2023

/ TRUE COPY /

04/08/2023
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TTA

TO

1 THE JUDICIAL MAGISTRATE, DEVAKOTTAI.

2 DO-THROUGH : THE CHIEF JUDICIAL MAGISTRATE,
SIVAGANGAI DISTRICT.

3 THE SUPERINTENDENT,
DISTRICT PRISON, RAMANATHAPURAM.



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4 THE INSPECTOR OF POLICE
DEVAKOTTAI TOWN POLICE STATION,
SIVAGANGAI DISTRICT.

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

+1 CC to M/s.A.BALAJI, Advocate (SR-11872[I] dated 04/08/2023)

ORDER
IN
CRL OP(MD) No.14284 of 2023
Date :04/08/2023

RS//SAR-(04.08.2023) 4P 7C
Madurai Bench of Madras High Court is issuing
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