



CRL OP(MD). No.14097 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.14097 of 2023

1.Saravanan

2.Hariharasubramanian @ Bullet Hari

... Petitioners / Accused

Vs

The State represented by
The Inspector of Police,
Thiruchendur Temple Police Station,
Thoothukudi District.
Crime No.76 of 2023.

... Respondent / Complainant

For Petitioners : M/s.D.Selvanayagam, 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.76 of 2023 on the file of the Respondent Police.

ORDER : The Court made the following order :-

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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) and 506(ii) of IPC in Crime No.76 of 2023, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the defacto complainant is a security in the temple. On 27.07.2023, when the defacto complainant was on duty, the petitioners have tried to enter the temple without tickets. It was questioned by the defacto complainant. Aggrieved by that, the petitioners abused the defacto complainant in filthy words, assaulted him, and criminally intimidated them. Hence the complaint.

3. The learned counsel for the petitioners submitted that the petitioners are innocent, they have not committed any offence as alleged by the prosecution. They have been falsely implicated in this case. They seek for the relief of anticipatory bail.

4. The learned Additional Public Prosecutor would submit that no previous case is pending against the petitioners. When the petitioners were tried to enter into the temple, as a security, the defacto complainant has restricted them to come into the temple with proper tickets, upon which, a quarrel has arisen between them.

5. Considering the facts and circumstances of this case and also the fact that the petitioners are not having any previous cases, this Court is inclined to grant relief to the petitioners.



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6. Accordingly, this Criminal Original Petition is allowed and the petitioners are ordered to be released on bail in the event of arrest or on their appearance, before the learned Judicial Magistrate, Thiruchendur, 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 petitioners shall appear before the respondent police daily at 10.30 a.m., until further orders. The petitioners shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously.

7. The petitioners 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,
THIRUCHENDUR.

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- 2 DO THROUGH:
THE CHIEF JUDICIAL MAGISTRATE,
THOOTHUKUDI DISTRICT.
- 3 THE INSPECTOR OF POLICE
THIRUCHENDUR TEMPLE POLICE STATION,
THOOTHUKUDI DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.D.SELVANAYAGAM, Advocate (SR-11788[I] dated 03/08/2023)

ORDER
IN
CRL OP(MD) No.14097 of 2023
Date :02/08/2023

PKP/MMS/SAR-1/16.08.2023/ 4P/6C

Madurai Bench of Madras High Court is issuing certified
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