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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.14116 of 2023

Sheik Farith

... Petitioner/Sole Accused

Vs

The Inspector of Police,
Puliyarai Police Station,
Tenkasi District.
Crime No.74 of 2023..

... Respondent/Complainant

For Petitioner : M/s.J.Karthick,
Advocate.

For Respondent : Mr.S.Manikandan,
Government Advocate (Crl.Side)

PETITION FOR ANTICIPATORY BAIL Under Sec.438 of Cr.P.C

PRAYER :-

For Anticipatory Bail in Crime No.74 of 2023 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 279, 338 and 308 of IPC, in Crime No.74 of 2023, on the file of the respondent police, seeks anticipatory bail.



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2. The case of the prosecution as per the defacto complainant is that on 31.05.2023, the defacto complainant's mother and her son while returning home, after purchasing some goods, the petitioner came in his motorcycle in a rash and negligent manner and dashed against them and caused serious injuries to them. Hence, the complaint.

3.The learned counsel for the petitioner submits that the petitioner is an innocent and he has not committed any offence as alleged by the prosecution. He further submitted that the learned Principal Sessions Judge, Tirunelveli in Cr.M.P.No.9221 of 2023 dated 19.07.2023 has granted anticipatory bail to the co-accused.

4. The learned Government Advocate(Crl.Side) appearing for the respondent submits that no previous case is pending against the petitioner and also submitted that the injured has been discharged from the hospital. He further submitted that the petitioner drove his motorbike in a rash and negligent manner in a wheeling position and dashed against the defacto complainant's mother and son and caused serious injuries to them.



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5. Considering the facts and the circumstances of this case and also of the fact the injured has been discharged from the hospital and the grant of anticipatory bail to the co-accused, this Court is inclined to grant anticipatory bail to the petitioner, however, with stringent conditions.

6. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or his appearance, before the learned Judicial Magistrate Court, Shenkottai, and on his executing 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 on every Saturday at 10.30 am until further orders. The petitioner shall comply with the conditions stipulated under Section 438 Cr.P.C. scrupulously.

7. The petitioner shall appear before the concerned Magistrate within a period of fifteen days from the date on which the order copy is made ready, failing which, the petition for anticipatory bail will stand 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.



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- 1 THE JUDICIAL MAGISTRATE,
SHENKOTTAI.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
TIRUNELVELI.
- 3 THE INSPECTOR OF POLICE
PULIYARAI POLICE STATION,
TENKASI DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

+1 CC to M/s.R.J.KARTHICK, Advocate (SR-11683[I] dated 02/08/2023)

ORDER
IN
CRL OP(MD) No.14116 of 2023
Date :02/08/2023

SS/VR/29/08/2023/4P/6C

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