



CRL OP(MD). No.14120 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.14120 of 2023

Merlin @ Merin Dhas

... Petitioner / Accused No.3

Vs

The State rep by
The Inspector of Police,
Marthandam Police Station,
Kanyakumari District.
(Crime No.246 of 2023.)

... Respondent / Complainant

For Petitioner : M/s.S.Sivakumar, 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.246 of 2023 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/ Accused, apprehending arrest at the hands of the respondent police for the alleged offence punishable under Sections 341, 294(b), 379 and 506(ii)



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of IPC in Crime No.246 of 2023, on the file of the respondent police, seeks anticipatory bail.

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2. The case of the prosecution is that on 17.07.2023 at about 3.30 a.m., when the defacto complainant was driving the lorry loading stones, the accused persons over took the lorry and stopped. They threatened the defacto complainant to pay money for over load in the lorry and take away Rs.33,000/- from the defacto complainant. 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 petitioner is having three previous cases.

5. The learned counsel for the petitioner further submitted that on the ground that the matter is going to be compromised between the parties, this petition has been filed.

6. Considering the facts and circumstances of this case this Court is inclined to grant relief to the petitioner. Let the parties appear before the respondent police and inform the compromise arrived at between them.

7. 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 No.I, Kuzhithurai, 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.

8. 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 No.I,
Kuzhithurai.

2.D through the Chief Judicial Magistrate,
Kanyakumari District at Nagercoil.



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3.The Inspector of Police,
Marthandam Police Station,
Kanyakumari District.

4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1 CC to M/s.S.SIVAKUMAR, Advocate (SR-11735[I] dated 03/08/2023)

ORDER
IN
CRL OP(MD) No.14120 of 2023
Date :02/08/2023

ED/VRS/SAR- I (16/08/2023) 4P / 6C

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