



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 04/09/2023

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.14364 of 2023

Jebin

... Petitioner/ Accused No.1

Vs

The Sub-Inspector of Police,
Boothapandy Police Station,
Kanyakumari District.
Cr.No.281 of 2022.

... Respondent/Complainant

For Petitioner : M/s.T.Jeen Joseph
Advocate.

For Respondent : Mr.B.Nambiselvan
Additional Public Prosecutor

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

PRAYER :-

For Anticipatory Bail in Crime No.281 of 2022 on the file of the Respondent police.

ORDER : The Court made the following order :-

The petitioners/ Accused apprehends arrest at the hands of the respondent police

for the offences under Sections 294(b), 307, 323, 341 and 506(2) of IPC in Crime

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



No.281 of 2022, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that on 16.12.2022, due to previous motive, when the defacto complainant along with his workmen were engaged in a garden work, at lunch time, the petitioner along with other accused, intercepted the defacto complainant, abused him with filthy language, attacked him with wooden log and criminally intimidated him. The defacto complainant sustained injury in this incident. Hence the complaint.

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

4. The learned Additional Public Prosecutor would submit that final report has been presented before the learned Judicial Magistrate, Boothapandi and cognizance was taken in P.R.C.No.11 of 2023.

5. Considering the facts and circumstances of this case and also considering the nature of injury that has been suffered by the injured, this Court is inclined to grant relief to the petitioner.

6. Accordingly, this Criminal Original Petition is allowed and the petitioner is ordered to be released on bail in the event of arrest or on his appearance, before the learned Judicial Magistrate, Vallioor, Tirunelveli District, on condition that the petitioners shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only)



each 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 daily at 10.30 a.m., until further orders. The petitioner shall comply with the condition stipulated under Section 438 of 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 is made ready, failing which, the petition for anticipatory bail will stand dismissed.

sd/-
04/09/2023

/ TRUE COPY /

/09/2023
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

1 THE JUDICIAL MAGISTRATE,
VALLIOOR,
TIRUNELVELI DISTRICT.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
TIRUNELVELI DISTRICT.

3 THE SUB INSPECTOR OF POLICE
BOOTHAPANDY POLICE STATION,
KANYAKUMARI DISTRICT.



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

+1. CC to M/S. S.C.HEROLD SINGH Advocate SR.No.41550(F)

ORDER
IN
CRL OP(MD) No.14364 of 2023
Date :04/09/2023

SSA/JGB/12.09.2023/4P/6C

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