



CRL OP(MD). No.14231 of 2023

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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.14231 of 2023

N.Mohammed Makthum

... Petitioner / Sole Accused

Vs

State rep by
The Inspector of Police,
Kadayanallur Police Station,
Tenkasi District.
(Crime No.277 of 2023.)

... Respondent / Complainant

For Petitioner : M/s.Rajeshkumar R, 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.277 of 2023 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/Sole Accused, apprehending arrest at the hands of the respondent police for the alleged offence punishable under Sections 448, 294(b), 323 and 506(i) of



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I.P.C, in Crime No.277 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 16.07.2023, when the defacto complainant's wife was arriving to her home, the accused person in his home abused the defacto complainant in filthy language. She listened the same and questioned the same. Hence, there was quarrel between them. Due to which, the accused assaulted the defacto complainant and threatened him that he will kill him. Hence, the complaint.

3. The learned counsel for the petitioner submitted that the petitioner is innocent and he has been falsely implicated in this case.

4. The learned Government Advocate (Crl. Side) for the respondent police submitted that the this is the second occurrence. In the first occurrence, there was compromise between the parties.

5. Considering the nature of offence, the frequent similar occurrence happened between the parties, this Court is inclined to grant anticipatory bail to the petitioner with conditions.

6. Accordingly, this Criminal Original Petition is allowed and petitioner is ordered to be released on bail in the event of arrest or on his appearance, before the learned Judicial Magistrate, Thenkasi, on condition that the petitioner shall execute a



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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 daily at 10.30 a.m. until further orders. The petitioner shall file an undertaking affidavit before the trial Court to the effect that he will not trouble the defacto complainant in future and he will not indulge in such activities in future. The petitioner shall comply with the condition stipulated under Section 438 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 made ready, failing which, the petition for anticipatory bail stands dismissed.

sd/-
04/08/2023

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

TM

To

1.The Judicial Magistrate,
Tenkasi.

2.Do through the Chief Judicial Magistrate,
Tirunelveli District.



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3.The Inspector of Police,
Kadayanallur Police Station,
Tenkasi.

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

+1 CC to M/s.V.VIJAYENDIRAN, Advocate (SR-11901[I] dated 07/08/2023)

ORDER
IN
CRL OP(MD) No.14231 of 2023
Date :04/08/2023

ED/ /SAR- (25/08/2023) 4P / 6 C

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