



CRL OP(MD). No.14262 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 21/08/2023

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.14262 of 2023

S.Prakash

... Petitioner / Sole Accused

Vs

State Rep.by
The Inspector of Police,
Orathanadu Police Station,
Thanjavur District.
Cr.No.3 of 2022.

... Respondent/Complainant

For Petitioner : M/s.R.L.Dhilipan Pandian, Advocate.
For Respondent : Mr.S.Manikandan
Government Advocate (Crl.side)

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

PRAYER :-

For Anticipatory Bail in Crime No.3 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 229(A) of IPC in Crime No.3 of 2022, on the file of the respondent police, seeks anticipatory bail.



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2. The case of the prosecution is that the defacto complainant filed a case in Crime No.142 of 2017 for the offences under Sections 302, 120(b), 109 and 449 of IPC against the petitioner in S.C.No.59 of 2020, pending before the learned Mahila Court, Thanjavur, Thanjavur District. On 04.01.2022, a non bailable warrant was issued. Till date the petitioner has not recalled the warrant issued against him. On that basis a complaint has been given by the defacto complainant and the present case came to be registered.

3. The learned counsel for the petitioner would submit that the main case in S.C.No.256 of 2017 has been ended in acquittal by judgment dated 24.06.2022, but the judgment copy is not available now.

4. Heard the learned Government Advocate (Crl.side) and the learned counsel for the petitioner.

5. Considering the facts and circumstances of this case and in view of the developments, 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 Mahila Court, Thanjavur, Thanjavur 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



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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/-
21/08/2023

/ TRUE COPY /

/09/2023

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

pnn

To

1 THE JUDGE, MAHILA COURT, THANJAVUR.

2 THE INSPECTOR OF POLICE, ORATHANADU POLICE STATION,
THANJAVUR DISTRICT.

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

ORDER IN
CRL OP(MD) No.14262 of 2023
Date :21/08/2023

RS/VR/SAR-(11.09.2023) 3P 4C
Madurai Bench of Madras High Court is issuing
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