



CRL OP(MD). No.14306 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.14306 of 2023

M.Sivakumar

... Petitioner / Accused

Vs

State rep by
The Inspector of Police,
Kallakudi Police Station,
Trichirappalli District.
(Crime No.145 of 2023.)

... Respondent / Complainant

For Petitioner : M/s.Karthikeyan B, 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.145 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 294(b), 323, 448, 354 & 506

(ii) of IPC, in Crime No.145 of 2023 on the file of the respondent police, seeks

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anticipatory bail.

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2. The case of the prosecution is that on 18.07.2023, at 01.00 a.m., when she was sleeping in her home, the petitioner forcibly entered into the house and beaten her with bare hands and behave to her abusively and also he threatened the defacto complainant with filthy language.

3. The learned counsel for the petitioner submitted that the petitioner is innocent and he has been falsely implicated in this case. It is a case in counter case. The counter case has been registered in Crime No.144 of 2023.

4. The learned Government Advocate (Crl. Side) for the respondent police submitted that the injured person has been discharged from the hospital and there is one previous case pending against the petitioner. It is a case in counter case.

5. Considering the nature of offence, the injured person has been discharged from the hospital and though there is one previous case pending against the petitioner, considering the fact that it is a case in counter case, this Court is inclined to grant anticipatory bail to the petitioner.

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, Lalgudi, on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties each



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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 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,
Lalgudi.

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

3.The Inspector of Police,
Kallakudi Police Station,
Trichirappalli District.

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

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ORDER

IN

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Date :04/08/2023

ED/ /SAR- (25/08/2023) 4P / 5C

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