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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Date : 09/08/2023

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.14558 of 2023

1.Vicky
2.Rajchrsto

... Petitioners/ Accused Nos. 2 and 4

Vs

State represented by
The Inspector of Police,
Thogur Police Station,
Thanjavur District.
Crime No.105 of 2023.

... Respondent/Complainant

For Petitioners : M/s.S.Manoj Kumar, Advocate

For Respondent : Mr.B.Nambiselvan
Additional Public Prosecutor

PETITION FOR BAIL Under Sec.439 of Cr.P.C.

PRAYER :-

For Bail in Crime No.105 of 2023 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioners / Accused Nos.2 and 4 herein, who were arrested on 18.07.2023,
for the alleged offence under Sections 294(b), 323, 342, 307 of IPC in Crime No.105 of
2023, on the file of the respondent police, seeks bail.



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2. The case of the prosecution is that the defacto complainant lodged a complaint stating that over previous enmity in respect of selling of the fishes, on 12.07.2023 at about 1.30 p.m., over a petty issue, the trouble has arisen between the parties, over which a threat was made by the accused. In view of the threat, at 6.30 p.m., on the very same day, when the defacto complainant was in the place of occurrence, the accused came there with wooden log and sword, caused severe injury to the defacto complainant. Based upon which, the present case has been registered.

3. The learned counsel for the petitioners submitted that the petitioners are innocent, they have not committed any offence as alleged by the prosecution. They have been falsely implicated in this case and hence they seek for the relief of bail.

4. The learned Additional Public Prosecutor would submit that after five days of treatment, the injured has been discharged from the hospital. Apart from that the petitioner has involved in one previous case registered for the offence under Section 75(1)(c) of TNCP Act. The second petitioner is not having any previous case. Over a petty issue, the trouble has arisen between the parties.

5. Considering the period of incarceration and also considering the fact that injured has been discharged from the hospital, this Court is inclined to grant relief to the petitioners.



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6. Accordingly, this Criminal Original Petition is allowed and the petitioners are ordered to be released on bail, on executing a personal 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 *Judicial Magistrate, Thiruvaiyaru*, and on further condition that the petitioners shall report before the respondent police daily at 10.30 a.m. until further orders.

sd/-
09/08/2023

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09/08/2023
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

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TO

- 1 THE JUDICIAL MAGISTRATE,
THIRUVAIYARU.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
THANJAVUR DISTRICT AT KUMBAKONAM.
- 3 THE INSPECTOR OF POLICE
THOGUR POLICE STATION,
THANJAVUR DISTRICT.
- 4 THE OFFICER INCHARGE,
DISTRICT JAIL, PUDUKOTTAI.
- 5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADRURAI BENCH OF MADRAS HIGH COURT,
MADRURAI.



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ORDER
IN
CRL OP(MD) No.14558 of 2023
Date :09/08/2023

SS/09/08/2023/4P/6C

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