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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.15138 of 2023

Murugesh

... Petitioner/Petitioner Accused
Rank Not Known

Vs

State rep. by
The Inspector of Police,
Pappakudi Police Station,
Tirunelveli District.
In Crime No. 133 of 2023

... Respondent/Respondent/
Complainant

For Petitioner : S.Sathyachidambaram,
Advocate.

For Respondent : Mr.B.Nambiselvan,
Additional Public Prosecutor

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

PRAYER :-

For Anticipatory Bail in Crime No. 133 of 2023 on the file of the respondent Police.



ORDER : The Court made the following order :-

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The petitioner / Accused, apprehending arrest at the hands of the respondent police for the alleged offence punishable under Sections 294(b), 324, 307 and 506(ii) of IPC, in Crime No. 133 of 2023, seek anticipatory bail.

2. The case of the prosecution is that on 17.07.2023, at about 5.10 p.m., the petitioner and other accused went to the Petrol Bunk where the defacto complainant is working as a Manager and asked for free petrol. Therefore, wordy quarrel arose between the parties. Due to which, on the same day at 7.20 p.m., the petitioner and two other accused persons went to the petrol bunk and attacked the defacto complainant with deadly weapons. Hence the complaint.

3. The learned counsel for the petitioner submitted that the petitioner is innocent, he has not committed any offence as alleged by the prosecution. He has been falsely implicated in this case and seek for the relief of anticipatory bail. He further submitted that based upon the confession statement of the co-accused, the petitioner's name was implicated in this case.

4. The learned Additional Public Prosecutor appearing for the respondent submits that no previous case is pending against the petitioner and also submitted that the injured has been discharged from the hospital.

5. Considering the facts and the circumstances of this case and also of the fact



that the injured has been discharged from the hospital, this Court is inclined to grant anticipatory bail to the petitioner, however, with stringent conditions.

6. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or his appearance, before the learned Judicial Magistrate, Alangulam, Tenkasi District, and on his executing a 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 on every Saturday at 10.30 am until further orders. The petitioner shall comply with the conditions stipulated under Section 438 Cr.P.C. scrupulously.

7. The petitioner shall appear before the concerned Magistrate within a period of fifteen 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.

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TO
1 THE JUDICIAL MAGISTRATE, ALANGULAM,
TENKASI DISTRICT.



2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
TIRUNELVELI

3 THE INSPECTOR OF POLICE
PAPPAKUDI POLICE STATION
TIRUNELVELI DISTRICT.

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

+1 CC to M/s.S.SATHYA CHIDAMBARAM, Advocate (SR-12560[I] dated
22/08/2023)

ORDER
IN
CRL OP(MD) No.15138 of 2023
Date :21/08/2023

SSA/VRS/08.09.2023/4P/6C

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