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CRL OP(MD). No.14894 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

( Criminal Jurisdiction )

Date : 16/08/2023

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.14894 of 2023

Sivajothibas u

... Petitioner/Sole Accused

Vs

The State, represented by  
The Inspector of Police,  
Authoor Police Station,  
Thoothukudi District.  
(Crime No.133 of 2023).

... Respondent/Complainant

For Petitioner : Mr.B.MOORTHIKANNAN,  
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.133 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 294(b), 324 and 506(ii) of I.P.C, in Crime No.133 of 2023 on the file of the respondent police, seeks anticipatory bail.



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2. The case of the prosecution is that due to previous motive, the petitioner has intercepted the petitioner and another, attacked them, criminally intimidated and scolded them in filthy language. Hence, the complaint.

3. The learned counsel for the petitioner would submit that due to previous motive, which is existing between the petitioner and the defacto complainant, before six months, the defacto complainant has trespassed into the contract building of the petitioner and damaged the water tank with aruval and criminally intimidated the petitioner and scolded him in filthy words. So, the petitioner gave a complaint before the respondent Police, but he did not take any action against the defacto complainant.

4. The learned Additional Public Prosecutor appearing for the respondent Police submitted that it is a case and counter case and injured have been discharged in both the cases. The petitioner is involved in one previous case.

5. Considering the fact that it is case and counter case and in both the cases, injured have been discharged from the hospital, 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, Tiruchendur, on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two



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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 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/-  
16/08/2023

/ TRUE COPY /

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

INDU  
TO

1 THE JUDICIAL MAGISTRATE,  
TIRUCHENDUR, THOOTHUKUDI DISTRICT.

2 DO THROUGH THE CHIEF JUDICIAL  
MAGISTRATE, THOOTHUKUDI DISTRICT.

3 THE INSPECTOR OF POLICE,  
AUTHOOR POLICE STATION,  
THOOTHUKUDI DISTRICT.



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

+1. CC to M/S.MOORTHIKANAN.B Advocate SR.No.38936 (F) DT.17/08/2023.

ORDER IN  
CRL OP(MD) No.14894 of 2023  
Date :16/08/2023

SA/VRS/SAR. /22.08.2023/4P/6C

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