



Crl.O.P(MD).No.14911 of 2023

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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). Nos.14911 and 14912 of 2023

Venkatesh @ Vengatesan

... Petitioner/ Accused Rank No.7
in Crl.O.P(MD).No.14911 of 2023

K.Chinnakundu @ Saravanan

... Petitioner/ Accused Rank No.6
in Crl.O.P(MD).No.14912 of 2023

Vs

The State rep.by,
The Inspector of Police,
Thanjavur Medical College Police Station,
Thanjavur District.
(In Crime No.527 of 2023).

... Respondent/ Complainant
in both Crl.O.Ps

For Petitioners : M/s.Dhilipan Pandian.R.L,Advocate
(In both Crl.O.Ps)

For Respondent : Mr.B.Nambiselvan,
(In both Crl.O.Ps) Additional Public Prosecutor



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WEB COM PETITIONS FOR BAIL Under Sec.439 of Cr.P.C.

COMMON PRAYER :-

For Bail in Crime No.527 of 2023 on the file of the Respondent Police.

COMMON ORDER : The Court made the following order :-

The petitioners/ Accused Nos.7 and 6 herein, who were arrested on 16.07.2023 for the alleged offence under Sections 294(b), 323, 324 and 506(ii) of IPC @ into 294(b), 323, 324 and 506(ii) of IPC and 25 (1A) of Arms Act, in Crime No.527 of 2023 on the file of the respondent police, seek bail.

2.The case of the prosecution is that the petitioners along with other accused person purchased the Ice Cream from the defacto complainant's shop. Some time later, the said ice cream melted. Therefore, the petitioners along with the other accused went to the defacto complainant's shop, quarrelled with him and also assaulted him. Hence, the complaint.

3.The learned counsel for the petitioners submitted that the petitioners are innocent persons and they have been falsely implicated in this case and they have not



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committed any offence as alleged by the prosecution. He further submitted that the petitioners are in custody from 16.07.2023. Hence, prays for bail.

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4. The learned Additional Public Prosecutor (Crl.Side) appearing for the respondent police submitted that the petitioners moved bail application before the learned Principal District and Sessions Judge, Thanjavur District in Cr.M.P.Nos.5088 and 5097 of 2023 and the same was dismissed, on the ground that the petitioners are having previous cases. Hence, he has also opposed to grant bail to the petitioners.

5. A perusal of FIR shows that the dispute between the first accused and the defacto complainant over the purchasing of Ice Cream, the petitioners only accompanied the first accused to assault the defacto complainant.

6 .Considering the facts and circumstances of the case and the petitioners are not having any motive against the defacto complainant also considering the period of incarceration undergone by the petitioners, this Court is inclined to grant bail to the petitioners with stringent conditions.

7.Accordingly, this Criminal Original Petition is allowed and the petitioners are



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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 No.II, Thanjavur, Thanjavur District, and on further condition that the petitioners shall report before the respondent police daily at 10.30 a.m. until further orders.

sd/-
16/08/2023

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16/08/2023
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

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TO

- 1.THE JUDICIAL MAGISTRATE NO.II,
THANJAVUR, THANJAVUR DISTRICT.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
THANJAVUR @ KUMBAKONAM.
- 3.THE INSPECTOR OF POLICE,
THANJAVUR MEDICAL COLLEGE POLICE STATION,
THANJAVUR DISTRICT.
- 4 THE OFFICER IN CHARGE,
DISTRICT PRISON,
THANJAVUR,
THANJAVUR DISTRICT.



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

ORDER
IN
CRL OP(MD). Nos.14911 and 14912 of 2023
Date :16/08/2023

RK (16/08/2023) 5P /6 C

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