



CRL OP(MD). No.14970 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 17/08/2023

PRESENT

The Hon'ble Mr.Justice G.ILANGO VAN

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1.Balamurugan

2.Aravinth @ Aravinthan

... Petitioners/ Accused Nos.1 and 2

Vs

The State, represented by
The Inspector of Police,
Kabisthalam Police Station,
Thanjavur District.
Crime No.431 of 2023.

... Respondent/ Complainant

For Petitioner : Mr.K.M.KARUNAKARAN,
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.431/2023 on the file of the Respondent police.

ORDER : The Court made the following order :-

The petitioners/ Accused No.1 and 2, apprehending arrest at the hands of the respondent Police for the alleged offence punishable under Sections 294(b), 323,

506(ii) I.P.C. in Crime No.431 of 2023 on the file of the respondent police, seek

<https://www.mhc.tn.gov.in/judis>



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anticipatory bail.

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2. The case of the prosecution is that on 08.08.2023 the defacto complainant lodged a complaint stating that there was land dispute between the defacto complainant's family and the petitioner's family. Due to the previous enmity, on 05.08.2023, the petitioners abused and attacked the defacto complainant and also threatened him with dire consequences. Hence, the complaint.

3. The learned counsel for the petitioners submitted that the petitioners are innocent and they are no way connected in this case. Further, the petitioners are the close relatives of the defacto complainant. Due to previous enmity, the defacto complainant foisted a false complaint against the petitioner.

4. The learned Government Advocate (Crl. Side) for the respondent police submitted that it is a case and counter case and no previous case is pending against the petitioners.

5. Considering the facts and circumstance of this case and also considering that it is a case and counter case and no previous case is pending against the petitioners, this Court is inclined to grant anticipatory bail to the petitioners.

6. Accordingly, this Criminal Original Petition is allowed and the petitioners are ordered to be released on bail in the event of arrest or on their appearance, before the learned Judicial Magistrate, Papanasam, on condition that the petitioners shall



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execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each with two sureties each for a like sum to the satisfaction of the learned Magistrate concerned and the petitioners shall appear before the respondent Police daily at 10.30 a.m. until further orders. The petitioners shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously.

7. The petitioners 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/-
17/08/2023

/ TRUE COPY /

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

INDU
TO
1 THE JUDICIAL MAGISTRATE
PAPANASAM.

2 DO THROUGH THE CHIEF JUDICIAL
MAGISTRATE, THANJAVUR DISTRICT AT KUMBAKONAM.

3 THE INSPECTOR OF POLICE,
KABISTHALAM POLICE STATION,
THANJAVUR DISTRICT.



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

+1 CC to M/s.K.M.KARUNAKARAN, Advocate (SR-12413[I] dated 17/08/2023)

ORDER
IN
CRL OP(MD) No.14970 of 2023
Date :17/08/2023

SA/DD/SAR. /29.08.2023/4P/6C

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