



CRL OP(MD). No.15260 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

( Criminal Jurisdiction )

Date : 22/08/2023

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.15260 of 2023

Muthu Kumar

... Petitioners/ Accused(A1)

Vs

The Inspector of Police,  
Rajakkamangalam Police Station,  
Kanyakumari District,  
Crime No.129/2023.

... Respondent/Complainant

For Petitioner : MR. R.L. Dilipan Pandian, Advocate  
for MR.Jebastin.S, 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.129 of 2023 on the file of the respondent police



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ORDER : The Court made the following order :-

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The petitioner/ Accused No.1, apprehending arrest at the hands of the respondent police for the alleged offence punishable under Sections 447, 294(b), 323, 324 and 506(ii) of IPC, in Crime No.129 of 2023, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that on 14.07.2023, when the defacto complainant was working in his welding company, due to previous enmity, the accused persons came to the company and assaulted the defacto complainant with iron rod and hands and abused in filthy language. The defacto complainant sustained serious injury in this incident. Hence the present case came to be registered.

3. The learned counsel for the petitioners submitted that the petitioner is an innocent person, he has not committed any offence as alleged by the prosecution. He further submitted that the earlier anticipatory bail application that was filed by the petitioner in Crl.O.P(MD).Nos.13607 of 2023 was dismissed by this Court, on the ground that the petitioner is having one previous case. He further submitted that in the above said incident, the petitioner has also sustained injuries and he was



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admitted in the Government Hospital and the information is also sent to the  
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respondent police station, but the respondent police has not taken any steps.

4. The learned Additional Public Prosecutor would submitted that is also concedes the submission of the learned counsel for the petitioner.

5. After hearing both side counsels, it appears that the petitioner is also injured in the above said incident and the same was not informed before this Court, on the earlier occasion.

6. Considering the facts and the circumstances of this case and also of the fact the petitioner is also injured in the above said incident, this Court is inclined to grant anticipatory bail to the petitioner, however, with stringent conditions.

7. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or his appearance, before the learned Judicial Magistrate No.I, Nagercoil, 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



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Saturday at 10.30 am until further orders. The petitioner shall comply with the conditions stipulated under Section 438 Cr.P.C. scrupulously.

8. 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/-  
22/08/2023

/ TRUE COPY /

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

TTA

TO

- 1.THE JUDICIAL MAGISTRATE NO.I, NAGERCOIL.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,  
KANYAKUMARI @ NAGERCOIL
3. THE INSPECTOR OF POLICE,  
RAJAKKAMANGALAM POLICE STATION,  
KANYAKUMARI DISTRICT.



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

+1 CC to M/s.S.JEBASTIN, Advocate ( SR-12622[I] dated 23/08/2023 )

ORDER  
IN  
CRL OP(MD) No.15260 of 2023  
Date :22/08/2023

RK/VRS (08/09/2023) 5P /6C

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