



CRL OP(MD). No.15204 of 2023

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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.15204 of 2023

Rekha

... Petitioner / Accused No.2

Vs

State, represented by
The Inspector of Police,
Kallimandiyam Police Station,
Dindigul District.
(Crime No.146 of 2023).

... Respondent / Complainant

For Petitioner : Mr.R.Varadharajan, Advocate.
For Respondent : Mr.S.Manikandan,
Government Advocate (Crl.Side)

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

PRAYER :-

For Anticipatory Bail in Crime No.146 of 2023 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/Accused No.1, apprehending arrest at the hands of the respondent Police for the alleged offence punishable under Sections 294(b), 324 and



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506(ii) of I.P.C, in Crime No.146 of 2023 on the file of the respondent police, seeks anticipatory bail.

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2. The case of the prosecution is that there was a civil dispute between the first accused and the defacto complainant. On 10.08.2023 at about 12.30 p.m., when the accused persons were standing in the ridge and cutting the trees, the same was questioned by the defacto complainant and his son, the first accused attacked the defacto complainant's son in his head and thereby caused grievous injury to him. The second and third accused had intimidated them and ran away from the place of occurrence. Hence, the complaint.

3. The learned counsel for the petitioner would submit that the petitioner is an innocent person and has not committed any such offence as alleged by the prosecution. Further, the defacto complainant had disturbed the accused's possession of their lease land, so only the false complaint has been given by them.

4. The learned Government Advocate (Crl. Side) for the respondent Police submitted that there is no previous case pending against the petitioner and injured is discharged from the hospital.

5. Considering the facts and circumstances of this case and also considering the fact that no previous case is pending against the petitioner and injured has been discharged from the hospital, this Court is inclined to grant anticipatory bail to the



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petitioner.

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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, Oddanchatram, on condition that the petitioner shall execute 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 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/-
21/08/2023

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/09/2023

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

INDU

To

1.The Judicial Magistrate,
Oddanchatram.

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



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2. Do through the Chief Judicial Magistrate,
Dindigul District.

3. The Inspector of Police,
Kallimandiyam Police Station,
Dindigul District.

4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1 CC to M/s.R.VARATHARAJAN, Advocate (SR-12531[I] dated 21/08/2023)

ORDER
IN

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Date :21/08/2023

ED/JGB/SAR- (14/09/2023) 4P / 6C

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