



CRL OP(MD). No.15254 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.15254 of 2023

Anand

... Petitioner/ Accused No.4

Vs

The State rep.by,
The Inspector of Police,
Thogur Police Station,
Thanjavur District.
Crime No.105 of 2023.

... Respondent/Complainant

For Petitioner : M/s.Prabha S,
Advocate.

For Respondent : Mr.B.Nambiselvan,
Additional Public Prosecutor

PETITION FOR BAIL Under Sec.439 of Cr.P.C.

PRAYER :-

For Bail in Crime No.105 of 2023 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner, who was arrested on 18.07.2023 for the alleged offence under Sections 294(b), 323, 342 and 307 of IPC, in Crime No.105 of 2023 on the file of the respondent police, seeks bail.



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2. The case of the prosecution is that the defacto complainant lodged a complaint stating that over previous enmity in respect of selling of the fishes, on 12.07.2023 at about 1.30 p.m., over a petty issue, the trouble has arisen between the parties, over which a threat was made by the accused. In view of the threat, at 6.30 p.m., on the very same day, when the defacto complainant was in the place of occurrence, the accused came there with wooden log and sword, caused severe injury to the defacto complainant. Based upon which, the present case has been registered.

3. The learned counsel for the petitioner submitted that the petitioner has not committed any offence as alleged by the prosecution. He would further submit that this petition has been filed mainly on the ground that this Court had granted anticipatory bail to the co-accused in Crl.O.P(MD).No.14558 of 2023 dated 09.08.2023 and the petitioner is in judicial custody from 18.07.2023. He further submitted that for the very same occurrence, FIR in Crime No.104 of 2023 was registered against the defacto complainant and others.

4. The learned Additional Public Prosecutor appearing for the respondent Police submitted that the petitioner is not having any previous cases and also submitted that it is a case in counter case.



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5. Considering the fact and circumstances of this case and considering the period of incarceration and the grant of anticipatory bail to the co-accused, this Court is inclined to grant bail to the petitioner with certain conditions;

6. Accordingly, this Criminal Original Petition is allowed and the petitioner is 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, Thiruvaiyaru and on further condition that the petitioner shall report before the respondent Police daily at 10.30 a.m. until further orders.

sd/-
22/08/2023

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22/08/2023
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

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TO

1. THE LEARNED JUDICIAL MAGISTRATE,
THIRUVIAYARU.



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2. DO-THROUGH THE CHIEF JUDICIAL MAGISTRATE,
THANJORE @ KUMBAKONAM DISTRICT.

3. THE OFFICER IN CHARGE,
DISTRICT JAIL,
PUDUKOTTAI.

4. THE INSPECTOR OF POLICE,
THOGUR POLICE STATION,
THANJAVUR DISTRICT.

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

ORDER
IN
CRL OP(MD) No.15254 of 2023
Date :22/08/2023

RK (22/08/2023) 4P /6 C

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