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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 24/08/2023

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.15227 of 2023

Chiththik @ Abubhakkar Sithi

... Petitioner/ Accused No.2

Vs

The Inspector of Police,
Sellur Police Station, Madurai City.
Crime No 916 of 2023.

... Respondent/ Complainant

For Petitioner : Mr.N.Mohideen Basha,
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. 916 of 2023 on the file of the respondent Police.

ORDER : The Court made the following order :-

The petitioner/ Accused No.2, apprehending arrest at the hands of the respondent police for the alleged offence punishable under Sections 294(b), 427, 506(i) of IPC, in

Crime No.916 of 2023 on the file of the respondent police, seeks anticipatory bail.



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2. The case of the prosecution is that on 30.07.2023, at about 9.45 p.m., the accused person came to the defacto complainant's brother in law's office and abused her brother in law with filthy language, broke the office door and criminally intimidated them.

3. The learned counsel for the petitioner submitted that the petitioner is innocent and he has been falsely implicated in this case.

4. The learned Government Advocate (Crl. Side) for the respondent police submitted that the petitioner is having one previous case and he was acquitted in this case.

5. Even though the learned Additional Public Prosecutor would submit that the petitioner is involved in Crime NO.589 of 2014, which is disputed by the petitioner on the ground that he is not the person, who is involved in the above said occurrence, since the mother name is mentioned in the judgment itself. Whatever may be, since it is a petty issue between the defacto complainant and the petitioner and even though the the learned Additional Public Prosecutor would submit that the petitioner is having one previous case, he was acquitted from the offence and considering the



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damages caused by the petitioner, this Court is inclined to grant anticipatory bail to the petitioner on payment of costs.

(*) "6. Accordingly, this petitioner is directed to deposit a sum of Rs.10,000/- (Rupees Ten Thousand only), to the credit of Crime No.916 of 2023, before the trial Court, without prejudice to his rights and contentions before the trial Court."

7. On such deposit being made, 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 No.II, Madurai, 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.

8. 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



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petition for anticipatory bail stands dismissed.

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sd/-
24/08/2023

(*)CORRECTED AS PER ORDER OF
THIS COURT DATED 05.10.2023
IN CRL OP(MD). No.15227 of 2023
/ TRUE COPY /

/10/2023
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

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TO

TO BE SUBSTITUTED WITH THE ORDER DATED 24/08/2023 ALREADY
DESPATCHED.

- 1 THE JUDICIAL MAGISTRATE NO.II
MADURAI.
- 2 DO-THROUGH :
THE CHIEF JUDICIAL MAGISTRATE,
MADURAI DISTRICT.
- 3 THE INSPECTOR OF POLICE
SELLUR POLICE STATION,MADURAI CITY.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

+1. CC to Mr.MOHIDEEN BASHA Advocate SR.No.12883



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ORDER
IN
CRL OP(MD) No.15227 of 2023
Date :24/08/2023

SS/VRS/07/09/2023/4P/6C
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SSA/VRS/12/10/2023/5P/6C

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