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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 25/08/2023

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.15457 of 2023

S.Senthilrajan,

... Petitioner/ Accused Rank 1

Vs

The State through,
The Inspector of Police,
Ammayanacakkanur Police Station,
Dindigul District.
Crime No.168/2023.

... Respondent/ Complainant

For Petitioner : M/s.Ganeshkamu M,
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.168/2023 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner, who apprehend arrest at the hands of the respondent police for



the offences punishable under Sections 294(b), 447, 427 and 506(ii) of IPC, in Crime No.168 of 2023, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that due to civil dispute, on 11.08.2023 the petitioner along with the other accused went the defacto complainant's garden, damaged the pipe line and electricity board. Thereafter, the defacto complainant came to the petitioner's house and asked about the damages, at that time, the petitioner abused the defacto complainant in filthy language and also criminally intimidated him. Hence, the complaint.

3.The learned counsel for the petitioner submits that the petitioner is an innocent and he has not committed any offence as alleged by the prosecution. He further submitted that due to previous enmity, the present complaint has been given by the defacto complainant. He further submitted that for the very same occurrence, FIR in Crime No.167 of 2023 was registered against the defacto complainant and others.

4. The learned Government Advocate(Crl.Side) appearing for the respondent submits that no previous case is pending against the petitioner and also submitted that it is a case in counter case.

5.Considering the facts and the circumstances of this case and also of the fact that it is a case in counter, this Court is inclined to grant anticipatory bail to the petitioner, however, with stringent conditions.



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6. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or his appearance, before the learned Judicial Magistrate, Nilakottai, 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 Saturday at 10.30 am until further orders. The petitioner shall comply with the conditions stipulated under Section 438 Cr.P.C. scrupulously.

7. 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/-
25/08/2023

/ TRUE COPY /

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

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TO

1 THE JUDICIAL MAGISTRATE,
NILAKOTTAI.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
DINDIGUL



3 THE INSPECTOR OF POLICE
AMMAYANAYAKKANUR POLICE STATION,
DINDIGUL DISTRICT.

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

+1 CC to M/s.M.GANESH KAMU, Advocate (SR-12818[I] dated 25/08/2023)

ORDER
IN
CRL OP(MD) No.15457 of 2023
Date :25/08/2023

SSA/JGB/08.09.2023/4P/6C

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