



CRL OP(MD). No.16147 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 07/09/2023

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.16147 of 2023

Manikandan

... Petitioner/ Accused No.2

Vs

State Rep.by
The Inspector of Police,
Thogur Police Station,
Thanjavur District.
Crime No.102 of 2023.

... Respondent/Complainant

For Petitioner : Mr.S.Prabha, Advocate
For Respondent : Mr.B.Nambiselvam,
Additional Public Prosecutor

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

PRAYER :-

For Bail in Crime No.102 of 2023 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner/2nd Accused, who was arrested on 10.07.2023 for the alleged offence under Section 294(b), 323, 324 and 307 IPC, in Crime No.102 of 2023, on the file of the respondent Police, seeks bail.



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2. The prosecution case as per the defacto complainant is that there was issue between the defacto complainant and the accused persons herein over the land property. On 08.07.2023, when the defacto complainant proposed to plant trees in the disputed property, the accused persons made objection and criminally intimidated the defacto complainant, over which, the case has been registered and later compromise has been reached between the parties. On the same day at about 7.45 p.m., the accused persons along with co-accused came in auto and caused assault to the defacto complainant with Aruval. Injured was taken into hospital and later discharged. During the course of examination, it was found that there are three cut injuries in the defacto complainant's body.

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 the petitioner is in judicial custody from 10.07.2023.

4. The learned Additional Public Prosecutor appearing for the respondent Police submitted that the earlier application is dismissed on the ground that the petitioner is not having good conduct and is involved in six previous cases at his credit, among which most of the offences are 338, 323, 355, 448, 506(ii) IPC and 4 of TNPWH Act.

5. The learned counsel for the petitioner would submit that out of the above said six previous cases, one case ended in acquittal, two cases are registered under



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petty offences, and another three cases are still pending.

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6. Considering the facts and circumstances of this case, even though the petitioner is not having good conduct, considering the period of incarceration, this Court is inclined to grant bail to the petitioner with certain conditions.

7. 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) each 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/-
07/09/2023

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07/09/2023
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

Indu

TO

1 THE JUDICIAL MAGISTRATE, THIRUVAIYARU.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
THANJAVUR DISTRICT AT KUMBAKONAM.



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

4 THE OFFICER INCHARGE, DISTRICT JAIL, THANJAVUR.

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

ORDER
IN

CRL OP(MD) No.16147 of 2023

Date :07/09/2023

RS//SAR-(07.09.2023) 4P 6C

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