



CRL OP(MD). No.16119 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 05/09/2023

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.16119 of 2023

C.Murugan,

... Petitioner/ Accused No.2

Vs

State Rep.by
The Inspector of Police,
Tirunelveli Taluk Police Station,
Tirunelveli District.
in Crime No.223/2023..

... Respondent/ Complainant

For Petitioner : M/s.Suyambulinga Bharathi K,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.223/2023 on the file of the Respondent Police.

ORDER : The Court made the following order :-



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The petitioner/Accused No.2 herein, who was arrested on 20.08.2023 for the alleged offences under Sections 294(b), 353, 307 and 506(ii) of IPC in Crime No.223 of 2023, on the file of the respondent police, seeks bail.

2.The case of the prosecution is as per the defacto complainant's version is that on 20.08.2023, at about 5.45 p.m., along with his team of police officers, they were in routine vehicle check up near Manappadaiveedu to Keelakottai road, they found two wheeler bearing registration No.TN 76 K 7305 in rash manner. It was intercepted. On enquiry, they revealed their name as Arumugam and Murugan @ Kundu Murugan. At that time, the above said Arumugam abused the police team in filthy language and asked the rider of the vehicle to hit and kill the police team. So the first accused tried to hit the police team and drove the vehicle in rash manner. The above said Murugan tried to assault the police team with knife. They also tried to kill the police team. When the public gathered, they fled away from that place. On the basis of the above said complaint, case was registered.

3.The petitioner was arrayed as accused in Crime No.219 of 2022. He moved anticipatory bail before this Court in Crl.O.P.(MD).No.2116 of 2023. The case was registered on the basis of the murder alleged to have been taken place, because of the caste rivalry, on 10.11.2022. He was granted anticipatory bail by this Court, by the order dated 15.02.2023. After that the present occurrence said to have been taken



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place on 20.08.2023, as if this petitioner along with first accused tried to cause assault upon the police team. He was arrested and remanded to custody on 20.08.2023. Ever since he is in custody. None is injured in this matter. Since he was already granted anticipatory bail in a murder case, it appears that the present FIR has been registered apparently for the purpose of invoking Act 14 against the petitioner, since reading of the FIR shows the above said intention on the part of the police. But, so far no action under Act 14 has been taken.

4.Considering the period of incarceration, this Court is inclined to grant bail to the petitioner with stringent conditions.

5.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 No.III, Tirunelveli and on further condition that the petitioner shall report before the respondent police daily at 10.30 a.m. until further orders.

sd/-
05/09/2023

/ TRUE COPY /

05/09/2023
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,



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Madurai - 625 023.

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TO

- 1 THE JUDICIAL MAGISTRATE NO.III
TIRUNELVELI.
- 2 DO-THROUGH :
THE CHIEF JUDICIAL MAGISTRATE,
THIRUNELVELI DISTRICT.
- 3 THE SUPERINTENDENT,
CENTRAL PRISON, PALAYAMKOTTAI,
TIRUNELVELI DISTRICT.
- 4 THE INSPECTOR OF POLICE
TIRUNELVELI TALUK POLICE STATION,
TIRUNELVELI DISTRICT.
- 5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN

CRL OP(MD) No.16119 of 2023

Date :05/09/2023

PKP/SAR- /05.09.2023/ 4P/6 C

Madurai Bench of Madras High Court is issuing certified
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