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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.16140 of 2023

Muthukathan

... Petitioner/ Accused No.1

Vs

The State through
The Inspector of Police,
M.Chatrapatti Police Station,
Madurai District.
(Crime No.111 of 2023).

... Respondent/ Complainant

For Petitioner : Mr.G.Manikandan,
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.111 of 2023 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner/1st Accused, who was arrested on 13.08.2023 for the alleged offence under Section 294(b), 109, 307 IPC and 83(ii) of JJ Act, in Crime No.111 of 2023, on the file of the respondent police, seeks bail.

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2.The case of the prosecution is that there was previous land dispute between the first accused's family and the defacto complainant's brother-in-law family. On 12.08.2023 at about 7.00 a.m., the second accused kept the cattle nearby the house of the defacto complainant's brother-in-law, when the same was questioned by the brother-in-law of the defacto complainant, quarrel arose between them. After that on the same day at about 9.45 p.m., the petitioner and his family members quarreled and attacked the defacto complainant's brother-in-law. Hence, the complaint.

3.The learned counsel for the petitioner would submit that the petitioner is an innocent and is not having any previous case at his credit. The petitioner is in custody from 13.08.2023. Hence, prays to release him on bail.

4.The learned Additional Public Prosecutor appearing for the respondent would submit that because of some family issue between two groups of people, trouble arose between them. It is a case and counter case. Further, the injured have been discharged from the hospital in both the cases and there is no previous case pending against the petitioner.

5.Considering the facts and circumstances of this case, that the petitioner is not having any previous case at his credit, the injured in both the cases have been discharged from the hospital and also considering the period of incarceration, this

Court is inclined to grant bail to the petitioner with certain conditions.

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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) each with two sureties each for a like sum to the satisfaction of the learned Judicial Magistrate No.V, Madurai, 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 NO.V,
MADURAI.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
MADURAI.

3 THE SUPERINTENDENT,
CENTRAL PRISON, MADURAI

4 THE INSPECTOR OF POLICE
M.CHATRAPATTI POLICE STATION,
MADURAI DISTRICT.



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

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+1 CC to M/s.G.MANIKANDAN, Advocate (SR-13336[I] dated 07/09/2023)

ORDER
IN

CRL OP(MD) No.16140 of 2023
Date :07/09/2023

SSA/07.09.2023/4P/7C

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