



CRL OP(MD). No.16166 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.16166 of 2023

Balakrishnan

... Petitioner/ Accused No.2

Vs

The Inspector of Police,
Tirunelveli Taluk Police Station,
Tirunelveli District.
Crime No.205 of 2023.

... Respondent/Complainant

For Petitioner : Mr.C.Venkatesh, 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.205 of 2023 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner/2nd Accused, who was arrested on 19.08.2023 for the alleged offence under Sections 294(b), 323, 307, 506(ii) and 109 IPC and 4 of TNPHW Act, in Crime No.205 of 2023, on the file of the respondent Police, seeks bail.



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2. The prosecution case that the first accused mortgaged his two wheeler Hero Honda Splendor bearing Registration No.TN 72 AK 3756 to the uncle of the defacto complainant. In the meanwhile, the husband of the defacto complainant riding the mortgaged two wheeler at Naduvakurichi, but the first accused disliked the same. Due to the above motive, on 04.08.2023 at about 4.15 p.m., when the defacto complainant and her husband were standing in front of their house, the first accused threatened them. Subsequently, on the same day at about 4.30 p.m., the first accused along with another came to the house of the defacto complainant and quarreled using filthy language and also attacked them using Aruval. The husband of the defacto complainant sustained injury. Hence, the complaint.

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 19.08.2023.

4.The learned Additional Public Prosecutor appearing for the respondent Police submitted that the petitioner is not having any previous case at his credit.



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5. Reading of the First Information Report shows that the petitioner was not present at that time of subsequent occurrence.

6. Considering the facts and circumstances of this case, that the petitioner is not having any previous case and also 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 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/-
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



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1. THE JUDICIAL MAGISTRATE NO.III, TIRUNELVELI.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
TIRUNELVELI.
3. THE SUPERINTENDENT, CENTRAL PRISON,
PALAYAMKOTTAI, TIRUNELVELI CITY.
- 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.16166 of 2023

Date :07/09/2023

RK (07/09/2023) 4P / 6C

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