



CRL OP(MD). No.16230 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 12/09/2023

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.16230 of 2023

1. Sunil @ Anto Sunil

2. Shaji

3. Mohanraj @ Mohan Dhas

... Petitioners/ Accused No.1 to 3

Vs

The State rep.by,
The Inspector of Police,
Thuckalay Police Station,
Kanyakumari District.
(Crime No.360 / 2023).

... Respondent/Complainant

For Petitioner : M/s.Perumal.C.T,
Advocate.

For Respondent : Mr.S.Manikandan,
Government Advocate (Crl.Side)

PETITION FOR ANTICIPATORY BAIL Under Sec.438 of Cr.P.C



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WIPRAYER:-

For Anticipatory Bail in Crime No.360 of 2023 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioners/Accused No.1 to 3, apprehending arrest at the hands of the respondent police for the alleged offence punishable under Sections 147, 148, 427, 447, 294(b), 323, 324 & 506(ii) of IPC in Crime No.360 of 2023 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that the petitioners herein trespassed into the compound wall of the defacto complainant's house and abused him in filthy language. They also attacked the defacto complainant, his brother Soundar and yet another person and caused injuries. Hence, the case.

3. The learned counsel for the petitioners submitted that the petitioners are innocent and they have been falsely implicated in this case. It is a case in counter case.



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4. The learned Government Advocate (Crl. Side) for the respondent police submitted that it is a case in counter case. The injured persons in both cases have been discharged from the hospital.

5. Considering the nature of offence, it is a case in counter case and the injured persons in both cases have been discharged from the hospital, this Court is inclined to grant anticipatory bail to the petitioners.

6. Accordingly, this Criminal Original Petition is allowed and the petitioners are ordered to be released on bail in the event of arrest or on their appearance, before the learned Judicial Magistrate No.I, Padmanabhapuram, Kanniyakumari District, on condition that the petitioners shall execute a 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 Magistrate concerned and the petitioners shall appear before the respondent police daily at 10.30 a.m. until further orders. The petitioners shall comply with the condition stipulated under Section 438 Cr.P.C. Scrupulously.



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7. The petitioners shall appear before the concerned Magistrate within a period of 15 days from the date on which the order copy made ready, failing which, the petition for anticipatory bail stands dismissed.

sd/-
12/09/2023

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/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 NO.I,
PADMANABHAPURAM,
KANNIYAKUMARI DISTRICT
2. DO-THROUGH THE CHIEF JUDICIAL MAGISTRATE,
KANYAKUMARI DISTRICT @ NAGERCOIL.
3. THE INSPECTOR OF POLICE,
THUCKALAY POLICE STATION,
KANYAKUMARI DISTRICT.
4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.



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WEB COPY +1 CC to M/s.C.T.PERUMAL, Advocate (SR-13493[I] dated 12/09/2023)

ORDER
IN
CRL OP(MD) No.16230 of 2023
Date :12/09/2023

RK /VRS(20/09/2023) 5P / 6C

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