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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 08/09/2023

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.16267 of 2023

1. Raj @ Ramaiya,

2. Pushpam,

3. Santhavalli,

... Petitioners/ Accused No.4,6 and 7

Vs

State through
The Inspector of Police,
Kodaikanal Police Station,
Dindigul District.
Crime No.213 of 2023.

... Respondent/De jure Complainant

For Petitioner : M/s.Alagumani.R.,
Advocate.

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

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

PRAYER :-

For Anticipatory Bail in Crime No.213 of 2023 on the file of the respondent police.



ORDER : The Court made the following order :-

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The petitioners/ Accused apprehends arrest at the hands of the respondent police for the offences under Sections 147, 294(b), 323, 324 and 506(ii) of IPC in Crime No.213 of 2023, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that on 14.07.2023 at about 06.00 p.m., due to previous enmity over a land dispute, the petitioners alleged to have abused the defacto complainant with filthy language, attached him with hands and aruval and criminally intimidated him. Hence the complaint.

3. The learned counsel for the petitioners submitted that the petitioners are innocents, they have been falsely implicated in this case and they have not committed any offence as alleged by the prosecution.

4. Learned Additional Public Prosecutor would submit that because of a property issue between two groups of people, continuous trouble have arisen and cases have been registered. In a case in crime No.330 of 2019, the very same defacto complainant lodged the complaint. The injured person has been discharged from the hospital.

5. Considering the facts and circumstances of this case and also the fact that continuous trouble has been arising over a property issue and the injured has been discharged from the hospital, this Court is inclined to grant relief to the petitioners.



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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.II, Kodaikanal, on condition that the petitioner shall execute 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 are directed to file an undertaking affidavit before the trial Court that they will not make any trouble in the above said civil suit. 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 of Cr.P.C., scrupulously. If any case is registered against the petitioners, the relief now granted will automatically stand cancelled.

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

sd/-
08/09/2023

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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

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1. The Judicial Magistrate, No.II, Kodaikanal.
 2. Do-Through The Chief Judicial Magistrate,
Dindugal District.
 3. The Inspector of Police, Kodaikanal Police Station,
Dindigul District.
 4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.
- +1 CC to M/s.DR.R.ALAGUMANI, Advocate (SR-13414[I] dated 08/09/2023)

ORDER
IN
CRL OP(MD) No.16267 of 2023
Date :08/09/2023

SSA/GB/26.09.2023/4P/6C

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