



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 20/09/2023

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.16967 of 2023

Senthil

... Petitioner/ Accused No.1

Vs

The State, represented by
The Inspector of Police,
Virudhunagar West Police Station,
Virudhunagar District.
(Crime No.159 of 2023).

... Respondent/ Complainant

For Petitioner : Mr.S.Ramasamy,
Advocate.

For Respondent : Mr.R.Suresh Kumar,
Government Advocate (Crl.Side)

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

PRAYER :-

For Anticipatory Bail in Crime No.159 of 2023 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/ Accused No.1 apprehending arrest at the hands of the
respondent Police for the alleged offence punishable under Sections 323, 506(i) I.P.C.,

<https://www.mhc.tn.gov.in/judis>



in Crime No.159 of 2023 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that there is previous enmity between the petitioners and the defacto complainant, who are neighbours. Due to that, on 06.08.2023 at about 11.00 p.m., when the defacto complainant was in his house, the petitioners abused the defacto complainant in filthy language threatened him with dire consequences. Hence, the complaint.

3. The earlier anticipatory bail application was dismissed with regard to this petitioner by this Court on 21.08.2023, since the petitioner is having two previous cases. Now, the learned counsel for the petitioner submitted that the petitioner is an innocent and is no way connected in this case. Further, the above said two cases have been disposed of.

4. The learned Government Advocate (Crl. Side) verified the antecedents of the petitioner and submitted that the petitioner has committed the petty offence in Crime No.565 of 2014, for which, he paid fine amount. In Crime No.574 of 2009, he was acquitted. Now, no case is pending against the petitioner.

5. Considering the facts and circumstances of this case and also considering that no previous case is pending against the petitioner, this Court is inclined to grant anticipatory bail to the petitioner.

6. Accordingly, this Criminal Original Petition is allowed and petitioner is ordered to be released on bail in the event of arrest or on his appearance, before the



learned Judicial Magistrate No.1, Virudhunagar, on condition that the petitioner shall execute a 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 Magistrate concerned and the petitioner shall appear before the respondent police daily at 10.30 a.m. until further orders. The petitioner shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously.

7. The petitioner 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/-
20/09/2023

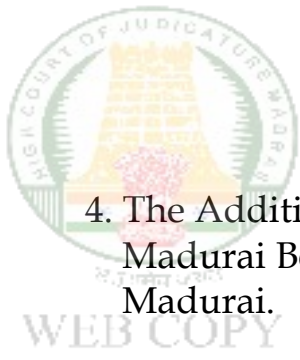
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/10/2023
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

Indu

TO

1. The Judicial Magistrate No.1, Virudhunagar.
2. Do through the Chief Judicial Magistrate,
Virudhunagar District at Srivilliputhur.
3. The Inspector of Police,
Virudhunagar West Police Station,
Virudhunagar District.



4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1 CC to M/s.S.RAMASAMY, Advocate (SR-13925[I] dated 20/09/2023)

ORDER
IN
CRL OP(MD) No.16967 of 2023
Date :20/09/2023

SSA/MGA/05.10.2023/4P/6C

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