



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 11/09/2023

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.16332 of 2023

S.Pandi

... Petitioner/ Accused No.1

Vs

The State Rep.by
The Inspector of Police,
Thirumayam Police Station,
Pudukottai District,
Crime No.189/2023.

... Respondent/Complainant

For Petitioner : M/s.R.Vijay Anand
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.189/2023 on the file of the respondent police.
ORDER : The Court made the following order :-

The petitioner/ Accused apprehends arrest at the hands of the respondent police
for the offences under Sections 294(b), 427, 506(i) of IPC in Crime No.189 of 2023, on
the file of the respondent police, seeks anticipatory bail.



2. The case of the prosecution on 30.08.2023 at about 5.30 pm., due to previous enmity between the petitioner and the defacto complainant, the petitioner alleged to have called the defacto complainant and criminally threatened him with dire consequences and scolded in filthy language. Thereafter, the defacto complainant came to know that the petitioner along with other accused persons have damaged the defacto complainant's office and caused damages worth Rs.10,000/-. Hence the complaint.

3. The learned counsel for the petitioner submitted that the petitioner is an innocent, he has been falsely implicated in this case and he has not committed any offence as alleged by the prosecution.

4. Learned Additional Public Prosecutor would submit that trouble has arisen between the petitioner and the defacto complainant due to previous enmity. The petitioner has damaged the shop of the defacto complainant. The petitioner has involved in a previous case in Crime No.447 of 2020, that was referred as mistake of fact. No other case is pending against the petitioner.



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

6. Accordingly, this Criminal Original Petition is allowed and The petitioner is directed to deposit a sum of Rs.5,000/- (Rupees Five Thousand only) to the credit of the crime No.189 of 2023 before the trial Court.

7. On such deposit, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, before the learned Judicial Magistrate, Thirumayam, on condition that the petitioner 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 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 of Cr.P.C., scrupulously.



8. The petitioner 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/-
11/09/2023

/ TRUE COPY /

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

TO

1 THE JUDICIAL MAGISTRATE,
THIRUMAYAM.

2 DO-THROUGH :
THE CHIEF JUDICIAL MAGISTRATE, PUDUKOTTAI DISTRICT.

3 THE INSPECTOR OF POLICE
THIRUMAYAM POLICE STATION,
PUDUKKOTTAI DISTRICT,

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



WEB COPY



ORDER

IN

CRL OP(MD) No.16332 of 2023

Date :11/09/2023

pnn

MK/06.10.2023 5P 5C

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