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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.16399 of 2023

1.Prakash @ Sivaprakash

2.Karthick

3.Maharaja

... Petitioners/ Accused Nos.1 to 3

Vs

The State, represented by
The Inspector of Police,
Manur Police Station,
Tirunelveli District.
(Crime No.417 of 2023).

... Respondent/Complainant

For Petitioner : Mr.I.Robert Chandrakumar,
Advocate.

For Respondent : Mr.B.Nambiselvan,
Additional Public Prosecutor.

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

PRAYER :-

For Anticipatory Bail in Crime No.417 of 2023 on the file of the Respondent Police.



ORDER : The Court made the following order :-

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The petitioners/Accused Nos.1 to 3, apprehending arrest at the hands of the respondent police for the alleged offence punishable under Sections 294(b), 323, 307 and 506(i) I.P.C., in Crime No.417 of 2023 on the file of the respondent Police, seeks anticipatory bail.

2. The case of the prosecution is that on 28.08.2023 at about 7.30 p.m, when the defacto complainant was returning home after shopping, the first petitioner came that way on his motorbike and dashed against him and this led to a wordy quarrel between them. Following the same, the first petitioner gathered some men and at about 8.00 p.m., the first petitioner abused the defacto complainant and attempted to assault him, but he escaped. Hence, the complaint.

3.The learned counsel for the petitioners would submit that the petitioners are innocent and they have been falsely implicated in this case.

4. The learned Government Advocate (Crl. Side) for the respondent Police submitted that it is a case and counter case.

5. Considering the facts and circumstances of this case and also considering that it is a case and counter case, this Court is inclined to grant anticipatory bail to the petitioners.

6. Accordingly, this Criminal Original Petition is allowed and petitioners are



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ordered to be released on bail in the event of arrest or on his appearance, before the learned Judicial Magistrate No.V, Tirunelveli, 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.

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.

INDU

TO

1 THE JUDICIAL MAGISTRATE NO.V
TIRUNELVELI.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
TIRUNELVELI.



3 THE INSPECTOR OF POLICE
MANUR POLICE STATION,
TIRUNELVELI DISTRICT.

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

+1. CC to M/S.ROBERT CHANDRAKUMAR.I Advocate SR.No.42651

ORDER
IN
CRL OP(MD) No.16399 of 2023
Date :12/09/2023

SS/JGB/19/09/2023/4P/6C

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