



CRL OP(MD). No.16542 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 26/09/2023

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.16542 of 2023

Kandasamy,

... Petitioner/ Accused No.2

Vs

**State Rep.by
The Inspector of Police,
Alanganallur Police Station
Madurai District.
Crime No.295 of 2023..**

... Respondent/Complainant

**For Petitioner : M/s.J.William Christopher, 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.295 of 2023 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner/ Accused No.2, apprehending arrest at the hands of the respondent



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police for the alleged offence punishable under Sections 294(b), 353, 336 and 506(ii) of IPC and Section 4 of Tamil Nadu Prohibition of Harassment of Woman Act and Section 3 of Tamil Nadu Property (Prevention of Damage and Loss) Act, in Crime No.295 of 2023, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that on 20.07.2023, the defacto complainant along with his team, went to the petitioner's house to enquire the grandson of the petitioner, about the grazing of the goats in the Forest. At that time, the petitioners abused the defacto complainant and the female staff members in filthy language. They also caused damages to the Jeep. Hence, the complaint.

3. The learned counsel for the petitioner submitted that the petitioner is innocent and he has been falsely implicated in this case.

4. The learned Additional Public Prosecutor for the respondent police submitted that investigation in this case is still pending.

5. Considering the nature of offence, the overt act attributed against the petitioner, the petitioner was directed to file an undertaking affidavit/apology before this Court. As directed, the petitioner has filed the undertaking affidavit/apology to the effect that he will not indulge in such activities in future. In view of the above said undertaking affidavit/apology, this Court is inclined to grant anticipatory bail to the petitioner on condition.



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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, Vadipatti, 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/-
26/09/2023

/ TRUE COPY /

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

TM
TO

1 THE JUDICIAL MAGISTRATE,
VADIPATTI.



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- 2 DO-THROUGH :
THE CHIEF JUDICIAL MAGISTRATE,
MADURAI DISTRICT.
- 3 THE INSPECTOR OF POLICE
ALANGANALLUR POLICE STATION
MADURAI DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
CRL OP(MD) No.16542 of 2023
Date :26/09/2023

PKP/MGA/SAR- /09.10.2023/ 4P/ 5C

Madurai Bench of Madras High Court is issuing certified
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