



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 21/09/2023

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.16608 of 2023

Bhagurudeen

... Petitioner/ Accused No.1

Vs

The State Rep.by
The Inspector of Police,
Melavalavu Police Station,
Madurai District.
(Crime N.213/2023)

... Respondent/ Complainant

For Petitioner : M/s.Herold Singh S C, 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.213/2023 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 294(b), 323, 324 and 506(i) of I.P.C, in Crime No.213 of 2023 on the file of the respondent police, seeks anticipatory bail.

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



2. The case of the prosecution is that the defacto complainant lodged a complaint stating that on 26.08.2023, at about 8.30 a.m., when they were taking sand in Kakankulam Kanmai, the accused person came there and demanded bribe amount for permitting them to take sand. They also assaulted, taken to the hospital. Based upon the statement given by the defacto complainant, the case was registered.

3. The learned counsel for the petitioner submitted that the petitioner is innocent and he has been falsely implicated in this case. The petitioner is working as an Village Administrative Officer in Orathanadu Taluk. Absolutely, there was no reason for this petitioner to demand bribe amount. According to him, on the date of occurrence, after loading the sand, the defacto complainant party speeding their vehicle, when that was objected, there wordy quarrel arose, they assaulted the petitioner. Based upon which, case in Crime NO.214 of 2023 was registered against the counter parties.

4. The learned Government Advocate (Crl. Side) for the respondent police submitted that investigation is pending.



5. Considering the facts and circumstances of the case, 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, Melur, 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 at 10.30 a.m. on every Sunday, 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/-
21/09/2023

/ TRUE COPY /

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



TO

1 THE JUDICIAL MAGISTRATE,
MELUR.

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

3 THE INSPECTOR OF POLICE
MELAVALAVU POLICE STATION, MADURAI DISTRICT.

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

ORDER
IN
CRL OP(MD) No.16608 of 2023
Date :21/09/2023

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