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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.16649 of 2023

1.Kamarudeen
2.Karthick @ Praveen Kumar

... Petitioners / Accused Nos.7 and 8

Vs

State represented by
The Inspector of Police,
Thallakulam Police Station,
Madurai District.
Cr.No.821 of 2023.

... Respondent/Complainant

For Petitioners : M/s.R.Rajamohan
Advocate.

For Respondent : Mr.S.Manikandan
Government Advocate (Crl.side)

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

PRAYER :-

For Anticipatory Bail in Crime No.821 of 2023 on the file of the Respondent police.



ORDER : The Court made the following order :-

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The petitioners/ Accused apprehends arrest at the hands of the respondent police for the offences under Sections 147, 148, 341, 294(b), 323, 324, 506(ii) of IPC in Crime No.821 of 2023, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the first accused used to send unwanted messages to the defacto complainant. That was enquired by the defacto complainant. On 22.07.2023, at about 9.00 p.m., the petitioners along with other accused persons came to the defacto complainant's hotel, abused him with filthy language, attacked him with hands, snatched his mobile phone and criminally intimidated her. Accused Nos.3 and 4 were arrested and remanded to judicial custody. Hence the complaint.

3. The learned counsel for the petitioners would submit that the petitioners are an innocent, they have been falsely implicated in this case and they have not committed any offence as alleged by the prosecution.

4. Learned Government Advocate (Crl.side) would submit that trouble arose between the parties over a petty issue. No previous case is pending against the petitioner. The injured person has been discharged from the hospital.

5. Considering the facts and circumstances of this case and also the fact that injured has been discharged from the hospital, this Court is inclined to grant relief to the petitioners.



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6. Accordingly, this Criminal Original Petition is allowed and the petitioners are ordered to be released on bail in the event of arrest or on their appearance, before the learned Judicial Magistrate No.II, Madurai, 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 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 of 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 is made ready, failing which, the petition for anticipatory bail will stand dismissed.

sd/-
21/09/2023

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

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To

1.The Judicial Magistrate No.II, Madurai.

2. Do through the Chief Judicial Magistrate,
Madurai.

3.The Inspector of Police,
Thallakulam Police Station,
Madurai District.

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

+1 CC to M/s.R.RAJAMOHAN, Advocate (SR-13974[I] dated 21/09/2023)

ORDER
IN

CRL OP(MD) No.16649 of 2023
Date :21/09/2023

SSA/VRS/11.10.2023/4P/6C

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