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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Date : 15/09/2023

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.16773 of 2023

Arun @ Karthikeyan

... Petitioner/ Accused No.3

Vs.

The State represented by
The Inspector of Police,
Thirivaiyaru Police Station,
Thanjavur District.
Crime No.261 of 2023.

... Respondent/ Complainant

For Petitioner : Mr.Maha Shanmugam,

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

PETITION FOR BAIL Under Sec.439 of Cr.P.C.

PRAYER :-

For Bail in Crime No.261 of 2023 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner/ Accused No.3, who was arrested on 25.08.2023 for the alleged offence under Sections 147, 148, 341, 294(b), and 307 I.P.C., in Crime No.261 of 2023, on the file of the respondent police, seeks bail.

<https://www.mhc.tn.gov.in/> 2. The case of the prosecution is that over the issue of fishing rights, the trouble



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arose between the defacto complainant and the first accused on 24.08.2023 at about 7.30 p.m., the petitioner along with other accused unlawfully assembled, abused using filthy language and attacked the defacto complainant using aruval and caused injuries to him. Hence, the complaint.

3.The learned counsel for the petitioner would submit that the petitioner is an innocent and he has been falsely implicated in this case. The petitioner is in custody from 25.08.2023. Hence, prays to release him on bail.

4. The learned Government Advocate (Crl. Side) for the respondent police submitted that due to the attack made by the first accused, the defaco complainant sustained head injury and others sustained simple injuries. Further, the injured have been discharged from the hospital and no previous case is pending against the petitioner.

5. Considering the nature of offence and also considering that there is no previous case pending against the petitioner, the injured persons have been discharged from the hospital and the period of incarceration, this Court is inclined to grant bail to the petitioner with certain conditions.

6.Accordingly, this Criminal Original Petition is allowed and the petitioner is ordered to be released on bail, on executing a personal 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 *Judicial Magistrate, Thiruvaiyaru*, and on further condition
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that the petitioner shall report before the respondent police daily at 10.30 a.m. until
further orders.

sd/-
15/09/2023

/ TRUE COPY /

15/09/2023
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

INDU

TO

- 1 THE JUDICIAL MAGISTRATE,
THIRUVAIYARU.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
THANJAVUR DISTRICT AT KUMBAKONAM.
- 3 THE INSPECTOR OF POLICE
THIRIVAYARU POLICE STATION,
THANJAVUR DISTRICT.
- 4 THE OFFICER INCHARGE,
DISTRICT JAIL, PUDUKKOTTAI.
- 5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.



WEB CUM +1 CC to M/s.S.MAHA SHANMUGAM, Advocate (SR-13701[I] dated 15/09/2023)

ORDER
IN
CRL OP(MD) No.16773 of 2023
Date :15/09/2023

SS/15/09/2023/4P/7C

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