



CRL OP(MD). No.16730 of 2023

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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.16730 of 2023

1. C.Ganesamoorthi @ Ganesamoorthy

2.C. Guruchandran

... Petitioners/ Accused Rank Nos.1 to 2

Vs

The State rep.by,
The Inspector of Police,
Dhalavaipuram Police Station,
Virudhunagar District.
(Crime No.222 of 2023).

... Respondent/ Complainant

For Petitioner : M/s.Rajaboopathy.D,
Advocate.

For Respondent : Mr.S.Manikandan,
Government Advocate (CrI.Side)

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

PRAYER :-

For Anticipatory Bail in Crime no.222 of 2023 on the file of the Respondent Police.



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ORDER : The Court made the following order :-

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The petitioners/Accused No.1 & 2, apprehending arrest at the hands of the respondent police for the alleged offence punishable under Sections 294(b), 323 & 506(ii) of IPC, in Crime No.222 of 2023 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that due to previous motive the petitioners said to have abused the defacto complainant in filthy language, attacked and threatened him with dire consequences. Hence, the complaint.

3. The learned counsel for the petitioners submitted 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 the first petitioner is having one previous case, under Section 304-A IPC. The injured person in this case has been discharged from the hospital.

5. Considering the nature of offence, the limited overt act attributed against the petitioners, the injured person has been discharged from the hospital and though the first petitioner is having one previous case, which is not similar in nature, this Court is inclined to grant anticipatory bail 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, Rajapalayam, Virudhunagar, 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/-
15/09/2023

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

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TO
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1. The Judicial Magistrate, Rajapalayam,
Virudhunagar.
2. Do-Through The Chief Judicial Magistrate,
Viruthunagar District @ Srivilliputhur.
3. The Inspector of Police,
Dhalavaipuram Police Station,
Virudhunagar District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1 CC to M/s.D.RAJABOOPATHY, Advocate (SR-13775[I] dated 15/09/2023)

ORDER
IN
CRL OP(MD) No.16730 of 2023
Date :15/09/2023

RK/JGB (26/09/2023) 4P /6C

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