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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 20/09/2023

PRESENT

The Hon'ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.16947 of 2023

1.Robin Nesaraj

2.Kennady

3.Kanagaraj

... Petitioners/ Accused rank not
known

Vs

The State, represented by
The Inspector of Police,
Sathankulam Police Station,
Thoothukudi District.
Crime No.156 of 2023.

... Respondent/ Complainant

For Petitioner : Mr.T.A.Ebenezer,
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.156/2023 on the file of the Respondent police.



ORDER : The Court made the following order :-

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The petitioners/ Accused rank not known, apprehending arrest at the hands of the respondent police for the alleged offence punishable under Sections 294(b), 323, 324 and 506(i) I.P.C., in Crime No.156 of 2023 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that it is the issue between the association members of a Church, over submitting the account details. On 10.09.2023, when the defacto complainant and his wife were in Church, the accused persons attacked him using iron rod, abused them using filthy language and also threatened 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 it is a case and counter case. Upon the very same occurrence, two First Information Reports have been registered that one is the present Crime No.156 of 2023 and another is Crime No. 155 of 2023, which is registered upon the complaint given by the petitioners' party. In both the cases, injured have been discharged from the hospital. The first and third petitioners are having one previous cases each and the second petitioner is having no previous cases.

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5. Considering the nature of offence, it is a case and counter case, the injured persons in both the cases have been discharged from the hospital, this Court is inclined to grant anticipatory bail to the petitioners.

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, Sathankulam, 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/-
20/09/2023

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

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1. The Judicial Magistrate, Sathankulam.
2. Do through the Chief Judicial Magistrate,
Thoothukudi.
3. The Inspector of Police,
Sathankulam Police Station,
Thoothukudi District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1 CC to M/s.T.A.EBENEZER, Advocate (SR-14071[I] dated 22/09/2023)

ORDER
IN

CRL OP(MD) No.16947 of 2023
Date :20/09/2023

SSA/MGA/05.10.2023/4P/6C

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