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CRL OP(MD). No.16982 of 2023

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.16982 of 2023

Selvam @ Chelladurai

... Petitioner/2nd Accused

Vs

The Sub Inspector of Police,
Thalaiyuthu Police Station,
Tirunelveli District.
(In Crime No.271/2023)

... Respondent/Complainant

For Petitioner : Mr.T.LENINKUMAR,
Advocate.

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

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

PRAYER :- For Anticipatory Bail in Crime No.271 of 2023 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/Accused No.2, apprehending arrest at the hands of the respondent police for the alleged offence punishable under Sections 253, 307, 506(ii) of I.P.C. And Section 25(1A) of Arms Act, in Crime No.271 of 2023 on the file of the respondent Police, seeks anticipatory bail.

2.The case of the prosecution is that the FIR has been registered on the ground



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that on 02.09.2023 at about 21.30 hours, when the defacto complainant and other team of Police Officers were on their routine duty in connection with prevention of crime, they found the accused standing in front of Amman Tea Stall at Durga complex place in suspicious manner. When the defacto complainant enquired with him, he picked up quarrel with the police team and tried to assault them with aruval. After making criminal intimidation, he ran away from that place.

3.The learned counsel for the petitioner would submit that the petitioner is an innocent and is no way connected with the alleged occurrence. The petitioner is running a tea stall near by the occurrence place, so he is falsely implicated in this case.

4.The learned Additional Public Prosecutor would submit that when the defacto complainant was on his routine duty, this petitioner alleged to have found in suspicious manner. Only because of his conduct, he was apprehended and taken to the police station.

5. Considering the facts and circumstances of this 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 No.III, Tirunelveli, on condition that the petitioner shall



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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 daily at 10.30 a.m. 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

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

INDU
TO
1 THE JUDICIAL MAGISTRATE NO.III
TIRUNELVELI.

2 DO THROUGH THE CHIEF JUDICIAL
MAGISTRATE, TIRUNELVELI DISTRICT.

3 THE INSPECTOR OF POLICE,
THALAIYUTHU POLICE STATION,
TIRUNELVELI DISTRICT.

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

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



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+1 CC to M/s.T.LENIN KUMAR, Advocate (SR-14014[I] dated 22/09/2023)

ORDER
IN
CRL OP(MD) No.16982 of 2023
Date :21/09/2023

SA/GB/SAR. /27.09.2023/4P/6C

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