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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.17030 of 2023

Padithurai @ Pandiselvam

... Petitioner / Accused No.1

Vs

State represented by
The Inspector of Police,
Keelavalavu Police Station,
Madurai District.
Cr.No.231 of 2023.

... Respondent/Complainant

For Petitioner : M/s.A.Abdul Kabur
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.231 of 2023 on the file of the Respondent police.

ORDER : The Court made the following order :-

The petitioner/ Accused apprehends arrest at the hands of the respondent

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police for the offences under Sections 294(b), 323, 506(ii) of IPC, in Crime No.231 of 2023, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that on 07.08.2023, when the defacto complainant was riding his two wheeler, the second accused asked for lift and the defacto complainant refused. Hence there was a wordy quarrel between them. The petitioner along with the co-accused abused the defacto complainant and criminally threatened him. Hence the complaint.

3. The learned counsel for the petitioner would submit that the petitioner is an innocent, he has been falsely implicated in this case and he has 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. 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 petitioner.



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6. Accordingly, this Criminal Original Petition is allowed and the petitioner is ordered to be released on bail in the event of arrest or on his appearance, before the learned Judicial Magistrate, Melur, 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 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 of 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 is made ready, failing which, the petition for anticipatory bail will stand dismissed.

sd/-
21/09/2023

/ TRUE COPY /

/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, Melur.

2. Do through the Chief Judicial Magistrate,
Madurai District.

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

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

+1 CC to M/s.A.ABDUL KABUR, Advocate (SR-14008[I] dated 22/09/2023)

ORDER
IN

CRL OP(MD) No.17030 of 2023
Date :21/09/2023

SSA/DD/11.10.2023/4P/6C

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