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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 05/10/2023

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.17494 of 2023

Muthukalai,

... Petitioner/Sole Accused

Vs

State rep. by
The Inspector of Police,
Kovilpatti West Police Station,
Thoothukudi District.
(Crime No.401/2023).

... Respondent/Complainant

For Petitioner : M/s.Prabu.M,
Advocate.

For Respondent : Mr.R.M.Anbunithi,
Additional Public Prosecutor

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

PRAYER :-

For Bail in Crime no.401/2023 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/Sole accused herein, who was arrested on 14.08.2023 for the alleged offence under Sections 341, 294(b), 397, 307 and 506(i) IPC, in Crime No.401 of 2023, on the file of the respondent Police, seek bail.

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



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2. The case of the prosecution is that on 14.08.2023, the petitioner restrained the defacto complainant, abused him in filthy language and robbed his mobile phone worth about Rs.5,000/- and cash of Rs.100/- from him and attempted to murder him with aruval. Hence, the complaint.

3. The learned counsel for the petitioner submitted that the petitioner is innocent person and is no way connected in this case. He has not committed any offence as alleged by the prosecution.

4. Earlier petition filed by the petitioner was dismissed on the ground that the petitioner is having 12 previous cases and proposal is pending with the District Collector to invoke Act 14 against the petitioner. The learned Additional Public Prosecutor submitted that even though the petitioner is having 12 previous cases, the District Collector rejected the proposal for invoking Act 14 against the petitioner.

5. In view of the submissions made by the learned Additional Public Prosecutor and considering the period of incarceration, this Court is inclined to grant bail to the petitioner with stringent 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) with two sureties each for a like sum to the satisfaction of the learned Judicial Magistrate No.II, Kovilpatti and on further condition that the petitioner shall report before the respondent police daily at 10.30 a.m. until further orders.

sd/-
05/10/2023

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05/10/2023
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

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TO

- 1 The Judicial Magistrate No.II, Kovilpatti.
 - 2 Do through the Chief Judicial Magistrate,
Thoothukudi.
 3. The Superintendent, Central Prison, Palayamkottai.
 4. The Inspector of Police,
Kovilpatti West Police Station,
Thoothukudi District.
 5. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.
- +1 CC to M/s.M.PRABU, Advocate (SR-14679[I] dated 05/10/2023)



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ORDER
IN
CRL OP(MD) No.17494 of 2023
Date :05/10/2023

SSA/05.10.2023/4P/7C

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