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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 26/09/2023

PRESENT

The Hon'ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.17308 of 2023

1.M.Karthi

2.Vijayakumar

3.Nallusamy

... Petitioners/ Accused Nos.1 to 3

Vs

The State, represented by
The Inspector of Police,
Viralimalai Police Station,
Pudukottai District.
Crime No.313 of 2023.

... Respondent/ Complainant

For Petitioner : Mr.G.Susikumar,
Advocate.

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

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

PRAYER :-

For Anticipatory Bail in Crime No.313/2023 on the file of the Respondent police.



ORDER : The Court made the following order :-

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The petitioners/Accused No.1 to 3, apprehending arrest at the hands of the respondent police for the alleged offence punishable under Sections 294(b), 324, 342, 506(ii) I.P.C., in Crime No.313 of 2023 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that on 17.09.2023 at about 11.00 p.m., when the defacto complainant was going to attend his natural call, at Viralimalai to Madurai Road near Lalitha rewinding shop, the accused persons abused the defacto complainant using filthy language, so wordy altercation arose between them. Thereafter, they attacked the defacto complainant and his friend using soda bottle and stick and also 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 injured has been discharged from the hospital and no previous case is pending against the petitioners.

5. Considering the nature of offence and also considering that the injured person has been discharged from the hospital and there is no previous case pending against the petitioners, 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, Illuppur, Pudukkottai District, 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/-
26/09/2023

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

Indu



TO
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1. The Judicial Magistrate, Illuppur, Pudukkottai District.
2. Do-Through The Chief Judicial Magistrate,
Pudukkottai District.
3. The Inspector of Police,
Viralimalai Police Station,
Pudukkottai District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1 CC to M/s.C.SUSI KUMAR, Advocate (SR-14497[I] dated 29/09/2023)

ORDER
IN
CRL OP(MD) No.17308 of 2023
Date :26/09/2023

SSA/MGA/05.10.2023/4P/6C

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