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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 27/09/2023

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.17395 of 2023

Jamuna,

... Petitioner/Petitioner /Sole Accused

Vs

The Inspector of Police,
Vadipatti Police Station,
Madurai,
Crime No.321/2023.

... Respondent/Complainant

For Petitioner : M/s.Vinoth Kumar.B,
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.321/2023 on the file of the respondent police

ORDER : The Court made the following order :-

The petitioner/Sole Accused, apprehending arrest at the hands of the respondent police for the alleged offence punishable under Sections 294(b), 324, 506(ii) of IPC, in



Crime No.321 of 2023 on the file of the respondent police, seeks anticipatory bail.

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2.The case of the prosecution is that the defacto complainant lodged a complaint stating that the petitioner encroached and put up a shed in the defacto complainant's brother's land which is adjacent to the petitioner house. When the same was questioned by the defacto complainant that led to quarrel between them. The petitioner abused the defacto complainant in filthy language, attacked with wooden log and threatened with dire consequences. Hence, the complaint.

3.The learned counsel for the petitioner would submit that the petitioner is an innocent person. He has not involved in any offence as alleged by the prosecution. There is a case in counter case.

4.The learned Government Advocate (Crl. Side) would submit that after taking treatment for seven days, the injured person was discharged from the Government Hospital.

5. Earlier application filed by the petitioner was dismissed by this Court on the ground that the injured was in hospital. Now the injured in this case has been discharged from the hospital. In view of the above, this Court is inclined to grant

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



anticipatory bail to the petitioner.

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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, Vadipatti, on condition that the petitioner shall 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 on every Sunday 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/-
27/09/2023

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

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TO

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

+1 CC to M/s.B.VINOTH KUMAR, Advocate (SR-14357[I] dated 27/09/2023)

ORDER
IN
CRL OP(MD) No.17395 of 2023
Date :27/09/2023

SSA/DD/06.10.2023/4P/6C

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