



CRL OP(MD). No.17370 of 2023

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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.17370 of 2023

S.Rajapandiyan

... Petitioners/Sole Accused

Vs

State Rep.by
The Inspector of Police,
Bodinayakkanur Town Police Station,
Theni District.
(Crime No.404/2023).

... Respondent/Complainant

For Petitioner : M/s.Boopathi.R, Advocate.

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

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

PRAYER :-

For Bail in Crime no.404 of 2023 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/ Accused herein, who was arrested on 15.09.2023 for the alleged offence under Sections 294(b), 506(ii) of IPC and Section 3(1)TNPPDL Act, in Crime No.404 of 2023, on the file of the respondent police, seeks bail.

<https://www.mhc.tn.gov.in/judis> 2. The case of the prosecution is that the defacto complainant along with her



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husband are running a tea shop. On 08.09.2023 at about 9.45 p.m., the accused came to defacto complainant's shop and asked them to shut the shop, since a political meeting is going to be conducted. The accused has also damaged the photo affixed in the vehicle used for their business. When the defacto complainant questioned him, he abused them in filthy language and also criminally intimidated him. Hence the complaint.

3.The learned counsel for the petitioner submitted that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution.

4.The learned Additional Public Prosecutor submitted that the damage caused to the defacto complainant's vehicle, is not assessed. The petitioner is having one previous case.

5.Considering the facts and circumstances of this case, and also considering the period of incarceration, this Court is inclined to grant bail to the petitioner with certain conditions.

6.Accordingly, this Criminal Original Petition is allowed and the petitioner is directed to deposit a sum of Rs.10,000/- (Rupees Ten Thousand only) to the credit of Crime No.404 of 2023 before the concerned Court. The defacto complainant is permitted to withdraw the amount, without waiting for the investigation or the trial to be completed.



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7. On such deposit, 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, Bodinayakkanur and on further condition that shall report before the respondent police daily at 10.30 a.m. until further orders.

sd/-
27/09/2023

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27/09/2023
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

PNN

TO

1 THE JUDICIAL MAGISTRATE, BODINAYAKKANUR.

2 DO-THROUGH : THE CHIEF JUDICIAL MAGISTRATE, THENI DISTRICT.

3 THE OFFICER INCHARGE, THENI PRISON, THENI.

4 THE INSPECTOR OF POLICE, BODINAYAKKANUR TOWN POLICE STATION,
THENI DISTRICT.

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

COPY TO

THE PRINCIPAL SESSIONS JUDGE, THENI.



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+1 CC to M/s.R.BOOPATHI, Advocate (SR-14331[I] dated 27/09/2023)

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ORDER
IN

CRL OP(MD) No.17370 of 2023

Date :27/09/2023

RS//SAR-(27.09.2023) 4P 8C

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