



CRL OP(MD). No.17825 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Date : 06/10/2023

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.17825 of 2023

Devadoss

... Petitioner / Accused No.3

Vs

State represented by
The Inspector of Police,
Kalaiyarkovil Police Station,
Sivagangai District.
Cr.No.320 of 2023.

... Respondent/Complainant

For Petitioner : M/s.D.Rameshkumar
Advocate.

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

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

PRAYER :-

For Anticipatory Bail in Crime No.320 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 police for the offences under Sections 294(b), 324 and 506(ii) of IPC, in Crime No. 320 of 2023, on the file of the respondent police, seeks anticipatory bail.



CRL OP(MD). No.17825 of 2023

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2. The case of the prosecution is that the defacto complainant is the husband and the first accused is his wife. Due to matrimonial dispute, she left the defacto complainant and went to her parents home. On 20.08.2023 at about 11. a.m., the defacto complainant went to the petitioner's house, the petitioner along with other accused persons abused him in filthy language, attacked him with manvetti kanai and made life threat. 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 earlier application of the petitioner seeking anticipatory bail was dismissed for the reason that the injured had been taking treatment in the hospital. But now the injured has been discharged and the injuries are only simple in nature. A counter case also registered against the defacto complainant. No previous case is pending against the petitioner.



CRL OP(MD). No.17825 of 2023

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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.

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 No.I, Sivagangai, 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/-
06/10/2023

/ TRUE COPY /

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

PNN



CRL OP(MD). No.17825 of 2023

TO
WEB COPY

- 1 THE JUDICIAL MAGISTRATE NO.I
SIVAGANGAI.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
SIVAGANGAI DISTRICT.
- 3 THE INSPECTOR OF POLICE
KALAIYARKOVIL POLICE STATION,
SIVAGANGAI DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

+1 CC to M/s.D.RAMESHKUMAR, Advocate (SR-14772[I] dated 06/10/2023)

ORDER
IN

CRL OP(MD) No.17825 of 2023

Date :06/10/2023

SS/JGB/12/10/2023/4P/6C

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