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

Date : 08/11/2023

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN
CRL OP(MD). No.20038 of 2023

Akbar

... Petitioner/2nd Accused

Vs

The State Rep.by
The Inspector of Police,
Aranthangi Police Station,
Pudukkottai District.
(Crime No.563 of 2023)

... Respondent/Complainant

For Petitioner : Mr.T.Leninkumar,
Advocate.
For Respondent : Mr.R.M.S.Sethuraman,
Additional Public Prosecutor

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

PRAYER :-

For Bail in Cr.No.563 of 2023 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/A2 herein, who was arrested and remanded to judicial custody on 28.10.2023 for the alleged offences under Sections 341,294(b),324,427,506(ii) of IPC

r/w.Section 25(1-B) of Indian Arms Act, in Crime No.563 of 2023, on the file of the respondent police, seeks bail.



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2.The case of the prosecution is that on 27.10.2023 at about 10.30 pm, the defacto complainant along with his friends went to theatre for watching movie at that time there was a wordy quarrel between the petitioner and the defacto complainant and thereafter when the defacto complainant was returning home at about 2.00 am.,A1 along with other accused abused him using filthy language, assaulted him and also threatened him using deadly weapons. Hence, the case.

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. He would further submit that the petitioner is in judicial custody from 28.10.2023 , hence he seeks bail.

4.The learned Additional Public Prosecutor submitted that A1 along with other accused abused the defacto complainant using filthy language, assaulted him and also threatened him using deadly weapons. He would further submit that no previous case is pending against the petitioner.

5.Considering the fact that there is a motive only between A1 and the complainant and also considering the period of incarceration and the fact that no previous case is pending against the petitioner, 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, Aranthangi and on further condition that the petitioner shall report before the respondent police daily at 10.30 a.m. until further orders.

sd/-
08/11/2023

/ TRUE COPY /

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

TO

1 THE JUDICIAL MAGISTRATE,
ARANTHANGI.

2 DO THROUGH
THE CHIEF JUDICIAL MAGISTRATE,
PUDUKKOTTAI DISTRICT.

3 THE OFFICER IN CHARGE,
SUB JAIL,
ARANTHANGI.

4 THE INSPECTOR OF POLICE
ARANTHANGI POLICE STATION,
PUDUKKOTTAI DISTRICT.

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



+1. CC to T.LENINKUMAR Advocate SR.No.16065

ORDER
IN
CRL OP(MD) No.20038 of 2023
Date :08/11/2023

MGJ(08.11.2023) 4P 7C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17.07.2023