



CRL OP(MD). No.21749 of 2023

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

Date : 11/12/2023

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.21749 of 2023

Samson

... Petitioner / Sole Accused

Vs

The Inspector of Police,
Ambadurai Police Station,
Dindigul District
(Crime No. 73/2023.)

... Respondent/Complainant

For Petitioner : Mr.V.Kathirvelu, Senior Counsel
for M/s Jegadeesha Pandian.V.M, Advocate.

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

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

PRAYER :-

For Anticipatory Bail in Crime No. 73 of 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), 341, 326,



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506(ii) and 307 IPC in Crime No.73 of 2023 on the file of the respondent Police, seeks anticipatory bail. (The above said offences are corrected as per the alteration report).

2.The case of the prosecution is that the defacto complainant and the petitioners were doing borewell digging business and because of difference of opinion, they separated. Therefore, they are having previous enmity in respect of partitioning joint properties. On 29.05.2023 at about 9.00 p.m., when the defacto complainant was going to his house in his two wheeler, the petitioner intercepted him, picked up quarrel stating that he is spoiling his business and caused assault with aruval. The defacto complainant was taken to the hospital, from where, the statement was recorded, case is registered.

3.The earlier applications filed by the petitioner seeking anticipatory bail in this case was dismissed on the ground that the defacto complainant sustained very serious injuries.

4.Now it is stated that there is case in counter case. In counter case two persons sustained injuries and they were referred to the hospital.

5.Considering the fact that it is case in counter case and the injured in both cases have been discharged from the hospital, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

6.Accordingly, this Criminal Original Petition is allowed and petitioner is



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ordered to be released on bail in the event of arrest or on his appearance, before the learned Judicial Magistrate No.III, Dindigul, 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 daily 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/-
11/12/2023

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/01/2024
Sub-Assistant Registrar
(C.S.I/II/III/IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TM

To

1.The Judicial Magistrate No.III,
Dindigul.



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2.Do through the Chief Judicial Magistrate,
Dindigul District.

3.The Inspector of Police,
Ambadurai Police Station,
Dindigul District.

4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1CC to M/s.V.M.JEGADEESHA PANDIAN, Advocate, Sr.No.17543(I), dated
11.12.2023.

ORDER
IN
CRL OP(MD) No.21749 of 2023
Date :11/12/2023

ED/ JGB /SAR- (02/01/2024) 4P / 6C

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