



CRL OP(MD) No.4158 of 2024

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

Friday, the Fifteenth day of March Two Thousand and Twenty Four

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.4158 of 2024

RAMESH

... Petitioner / Accused No.2

Vs

THE INSPECTOR OF POLICE
ELUMALAI POLICE STATION
MADURAI DISTRICT.
(CRIME NO. 235 OF 2019)

... Respondent / Complainant

For Petitioner : M/s.R.Babu Jaganath, Advocate

For Respondent : Mr.S.Manikandan,
Government Advocate (CrI. Side)

For Intervener : Mr.A.Kesavan, Advocate

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

PRAYER : FOR ANTICIPATORY BAIL IN CRIME NO. 235 OF 2019 ON THE
FILE OF THE RESPONDENT POLICE.

ORDER : The Court Made the following order :-

The petitioner / A2, who is facing trial in C.C.No.12 of 2021 on the file of the
learned Judicial Magistrate No.II, Usilampatti for the alleged offence punishable



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under Sections 294(b) and 506(ii) I.P.C., seeks anticipatory bail.

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2. The case of the prosecution is that due to wordy quarrel arose between the petitioner and the defacto complainant, the petitioner abused the defacto complainant by using filthy language and made a life threat to him. Hence, the complaint.

3. The learned counsel appearing for the petitioner would submit that the petitioner did not commit any offence as alleged by the prosecution and he is an innocent person and hence, he prays for allowing this petition.

4. The learned Government Advocate (Criminal Side) appearing for the respondent police would submit that the respondent Police has conducted investigation in Crime No.235 of 2019 and on completion of investigation, charge sheet in C.C.No.12 of 2021 has been filed before the learned Judicial Magistrate No.II, Usilampatti.

5. At this juncture, the learned counsel appearing for the petitioner would submit that the petitioner is ready to surrender before the trial Court. Hence, this Court may permit the petitioner to file an application under Section 88 of Cr.P.C. before the trial Court.

6. Considering the facts and circumstances and also considering the fact that the investigation has been completed and charge sheet is filed before the



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concerned Court and also considering the fact that there is no apprehension of arrest, this Court is not inclined to grant anticipatory bail to the petitioner.

7. Accordingly, the Criminal Original Petition stands dismissed. However, this Court permits the petitioner to file an application under Section 88 of Cr.P.C. before the learned Judicial Magistrate No.II, Usilampatti. On filing of such petition, the concerned Judge is directed to consider the said petition on merits and pass orders on the same day.

sd/-
15/03/2024

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/03/2024
Sub-Assistant Registrar
(C.S. I / II / III /IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TSG

To

1.The Judicial Magistrate No.II,
Usilampatti.

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

3.The Inspector of Police,
Elumalai Police Station,
Madurai District.



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

+1 CC to M/s.A.KESAVAN, Advocate (SR-3289[I] dated 18/03/2024)

+1 CC to M/s.R.BABU JEGANATH, Advocate (SR-3247[I] dated 15/03/2024)

ORDER
IN
CRL OP(MD) No.4158 of 2024
Date :15/03/2024

ED/ GS /SAR- (20/03/2024) 4P / 7C

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