

IN THE COURT OF THE JUDICIAL MAGISTRATE NO.1, DHARMAPURI.

Present: Thiru.A.Prabu, M.L.,
Judicial Magistrate No.I,
Dharmapuri.

Thursday, the 22nd day of June 2023
C.M.P.No. 4791/2023 in Cr.No. 102/2023.

Anthonymsamy (Thozhan) (Age-65),
S/o. Arokiyam,
D.No.2/229, S.Gollapatti Village,
Selliampatti Post,
Palacode Taluk,
Dharmapuri District.

...
/versus/

Petitioner/Accused.

Inspector of Police,
Mathikonpalayam Police Station,
Cr.No.102/2023.

...

Respondent/Complainant

Bail Application Filed U/s. 437 OF Cr.P.C. on behalf of the petitioner by Advocate Tr.G.Rathinam, B.A., B.L., APP/Police submitted reply 22.06.2023. After considering bail application, FIR and submission of counsel this court passed the following order.

2. From the materials available submitted it is seen that Accused are charged for the offences under Sections 294(b), 324, 506(ii) of IPC, and he was arrested by the respondent/police and they were remanded to judicial custody on 19.06.2023.

3. The counsel for the petitioner submitted that the petitioner has been charged for an offence under Sections 294(b), 324, 506(ii) of IPC, The petitioner has been arrested by the respondent police and remanded to the judicial custody on 19.06.2023 and he was languishing in prison for the past 03 days. He was innocent and being falsely implicated in the above crime by the respondent police. He was permanently residing at the above address and they will not abscond.

4. Notice was sent to APP/Police. In the reply submitted by 22nd June 2023. APP/Police has raised strong objection in releasing the accused on bail stating that, Investigation is at initial stage. The alleged accused along with co-accused has abused the victim in filthy language caused hurt and

criminally intimidated him. At this stage if the accused is released on bail he will again stage if the accused is released on bail he will again commit same offence. Hence releasing on bail at this stage is strongly objected.

5. Rival submission perused. On perusal of records it is seen that the petitioner is in judicial custody for the past 03 days. Considering the facts and circumstance of this case, Nature of the offence, victim has discharged from hospital and period of incarceration, this court is inclined to grant bail to the petitioner with the following condition.

1. The petitioner shall execute a bond for Rs.10,000/- along with two sureties each to the like sum amount to the satisfaction of this court.
2. The petitioner shall appear before the respondent Police daily at 10.00 a.m until further orders.

Dictate to the Typist, typed by her in computer, corrected and pronounced by me in open court on this the 22nd day of June 2023.

Sd/- Tr.A.Prabu, M.L.,
JUDICIAL MAGISTRATE NO.1,
DHARMAPURI.