



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

Date : 25/06/2021

PRESENT:

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The Hon'ble Mr.Justice G.CHANDRASEKHARAN

CRL OP(MD). No.8328 of 2021
(Through Video Conference)

1.Sathish Kumar ... 1st Petitioner/Accused No.1

2.Muthu Kumar ...2nd Petitioner/Accused No.2

Vs

State rep. By
The Inspector of Police,
Nainarkovil Police Station,
Ramanathapuram District.
Crime No.153/2021

... Respondent/Complainant

For Petitioners : Mr.M.S.Jeyakarthik,
Advocate.

For Respondent : Mr.M.Muthumanikkam,
Government Advocate (Crl.Side)

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

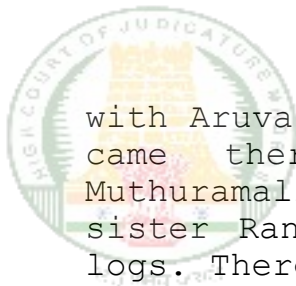
PRAYER:-

For Anticipatory bail in Crime No.153 of 2021 on the file of
the Respondent police.

ORDER: The Court made the following order :-

The petitioners/accused, who apprehend arrest at the hands of
the respondent police for the alleged offences punishable under
Sections 147, 148, 294(b), 323, 324 and 506(ii) of IPC, in Crime
No.153 of 2021, seek anticipatory bail.

2.The case of the prosecution is that on 14.06.2021 at about
6:00 p.m. Ajith Kumar had driven his motorcycle in a rash manner,
and dashed against the de facto complainant's TATA ACE vehicle which
was stationed near his house. When the de facto complainant asked
Ajith Kumar, why he had dashed his motorcycle against his vehicle,
the petitioner had challenged him stating that why he had parked the
vehicle on the road. Sathish Kumar, who was standing near the place
of occurrence told that the de facto complainant was the person, who
was informing the police about the activities and asked others to
attack him. The said Sathish Kumar attacked the de facto complainant
with Aruval on his head, Muthukumar attacked his father Anbalagan
with an Aruval and another Muthukumar attacked his mother Magamu



with Aruval. When the de facto complainant's brother's wife Saranya came there, she was attacked by Kamalsh with Aruval. Muthuramalingam hit Kumar with 'Manvetti'. The de facto complainant's sister Rani, Ramanathan and Tamil Arasu were attacked with wooden logs. Therefore, this case came to be registered.

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3.The learned counsel for the petitioners would submit that the petitioners are innocent and they have been falsely implicated in this case. In fact, there is a counter case registered based on the complaint given on behalf of the petitioners in Crime No.154 of 2021 under section 147, 148, 294(b), 323,324, 506(ii) of IPC. Therefore, they seek anticipatory bail.

4.The learned Government Advocate (Crl.side) for the respondent strongly opposed this petition on the ground that the injured suffered serious injuries and later they were discharged. He further submitted that the petitioners have two previous cases and 107 Cr.P.C proceedings has been initiated against the first petitioner. It is seen from the allegations made in the First Information Report that the petitioners along with other accused have used deadly weapons and caused injuries not only to the de facto complainant but his family members also. There are two previous cases pending. The investigation is in the preliminary stage. Therefore, this Court is not inclined to grant anticipatory bail to the petitioners. Hence, the petition stands dismissed.

sd/-

25/06/2021

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

Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

TO

- 1.THE INSPECTOR OF POLICE,
NAINARKOVIL POLICE STATION,
RAMANATHAPURAM DISTRICT.
- 2.THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER IN

CRL OP(MD) No.8328 of 2021

Date :25/06/2021

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<https://hcrvce.geogebra.org/m/30vices/6.2021/2P/3C>