



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

Date : 09/12/2021

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.18619 of 2021

1. Sathiyaseelan
2. Sathishkumar
3. Chandru

... Petitioners/Accused No.1,2 & 4

Vs

The State rep.by,
The Inspector of Police,
Maruvur Police Station,
Thanjavur District.
Crime No.157/2021.

... Respondent/Complainant

For Petitioner : Mr.T.A.EBENEZER,
Advocate.

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

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

PRAYER :-For Anticipatory Bail in Crime No.157 of 2021 on the file of the Respondent police.

ORDER : The Court made the following order :-

The petitioners/Accused No.1, 2 & 4 who apprehend arrest at the hands of the respondent police for the offence punishable under sections 294(b), 324 & 506 (ii) of IPC, in Crime No.157 of 2021 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that due to previous motive between the petitioners and the defacto complainant, the petitioners along with other accused, attacked the defacto complainant, her son and her husband with aruval, iron rod and bricks and caused injuries. Hence, this complaint.

3.The learned counsel for the petitioners would submit that the petitioners are innocent and they have not committed any offence as alleged by the prosecution. He would further submit that A3 was arrested and released on bail and injured was discharged from the hospital. Hence, he seeks anticipatory bail to the petitioners.

4.The learned Government Advocate (Crl.Side) appearing for the respondent police would submit that there are totally 4 accused. A3 has been arrested and released on bail and insofar as the first



petitioner is concerned, he is having 2 previous cases and the second petitioner is concerned, he is having 1 previous case. Which all are offence under Section 506(ii) IPC. The third petitioner is concerned, he is not having any previous case and the injured was discharged from the hospital.

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5. Since the petitioners 1 & 2 having previous cases in similar nature, this Court is not inclined to grant anticipatory bail to them. Hence, this petition is dismissed insofar as the petitioners 1 & 2 is concerned.

6. Considering the facts and circumstances of the case and also considering the fact that the injured was discharged from the hospital, that the co-accused was released on bail and that the petitioner is not having any previous case, this Court is inclined to grant anticipatory bail to the third petitioner with certain conditions.

7. Accordingly, third 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 Judicial Magistrate, Thiruvaiyaru, and on further condition that the third petitioner shall report before the respondent police daily at 10.30 a.m. until further orders. The third petitioner shall comply with the condition stipulated under Section 438 Cr.P.C scrupulously.

sd/-

09/12/2021

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/ /2021

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 JUDICIAL MAGISTRATE
THIRUVAIYARU.
- 2 DO-THROUGH THE CHIEF JUDICIAL MAGISTRATE,
THANJORE DISTRICT AT KUMBAKONAM.
- 3 THE INSPECTOR OF POLICE
MARUVUR POLICE STATION, THANJAVUR DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER IN

CRL OP(MD) No.18619 of 2021

Date : 09/12/2021

DSS

<https://hccr.csls.gov.in/fcserve/12.2021/2P/5C>