



WEB COPY

(1)Crl.OP(MD)No.18924 of 2021:-

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Dated: 07/12/2021

PRESENT

The Hon'ble Mr.Justice G.ILANGO VAN
Crl.OP(MD)Nos.18924 and 19069 of 2021

Muneeswaran ... Petitioner/A1
in Crl.OP(MD)No.18924 of 2021

Etturaj ... Petitioner/A2
in Crl.OP(MD)No.19069 of 2021

Vs.

State rep. By
The Inspector of Police,
Ettayapuram Police Station,
Thoothukudi District.
(Crime No.377 of 2021) ... Respondent/Complainant
in both the cases

For Petitioner : Mr.M.Prabu, Advocate
in both the cases

For Respondent : Mr.S.MANIKANDAN,
Government Advocate Criminal side)
in both the cases

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

COMMON PRAYER :-

For Anticipatory Bail in Crime No.377 of 2021 on the file of
the Respondent Police.

COMMON ORDER : The Court made the following order :-

The petitioners, who were arrayed as A1 and A2 apprehending
arrest at the hands of the respondent police for the offences
punishable under sections 294(b), 323, 324 and 506(ii)IPC, in Crime
No.377 of 2021 on the file of the respondent police, seek
anticipatory bail.

2.The case of the prosecution is that due to previous motive,
on 23/11/2021 when the de-facto complainant was standing in front of
his house, the accused persons came there and abused the de-facto
complainant in filthy language, attacked with knife and also
threatened him with dire consequences.

<https://hcservices.ecourts.gov.in/hcservices/>



3.Heard the learned counsel appearing for the petitioners and the learned Government Advocate (Criminal side) appearing for the State.

4.Reading of the FIR shows that due to previous motive, on 23/11/2021 at about 10.00 pm, the accused persons came to the house of the de-facto complainant and abused him in filthy language, assaulted and caused injury by knife.

5.The learned Additional Public Prosecutor would submit that the injured has been discharged from the hospital. In so as the petitioner in Crl.OP(MD)No.19069 of 2021/A2 is concerned, he is involved in Crime No.231 of 2021 for the offences punishable under section 307 IPC. In so far as the petitioner in Crl.OP(MD)No.18924 of 2021/A1 is concerned, even though he was involved in a previous case for the offence under section 506(ii) IPC, that was closed.

6.The learned counsel appearing for the petitioners would submit that the petitioners are innocent persons and they were not present in the occurrence place and this can be taken into account for considering the anticipatory bail of the petitioners.

7.Considering the antecedent of the petitioners, the petitioner/A1 in Crl.OP(MD)No.18924 of 2021 alone is entitled for anticipatory bail. In so far as the petitioner/A2 in Crl.OP(MD)No.19069 2021 is concerned, since he is involved in 307 IPC offence, the anticipatory bail petition filed by him is dismissed.

8.Accordingly, this court inclined to grant anticipatory bail to the petitioner/A1 in Crl.OP(MD)No.18924 of 2021 alone with certain conditions.

9.Accordingly, the petitioner/A1 in Crl.OP(MD)No.18924 of 2021 is ordered to be released on bail in the event of arrest or on his appearance before the learned Judicial Magistrate No.II, Kovilpatti and on his executing 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 on further condition that the petitioner/A1 shall appear before the respondent police daily at 10.00 am until further orders. The petitioner/A1 shall comply with the conditions stipulated under Section 438 Cr.P.C scrupulously. The petitioner/A1 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 will stand dismissed.

sd/-

07/12/2021

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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 JUDICIAL MAGISTRATE NO.II,
KOVILPATTI.
- 2 THE CHIEF JUDICIAL MAGISTRATE,
THOOTHUKUDI.
- 3 THE INSPECTOR OF POLICE
ETTAYAPURAM POLICE STATION,
THOOTHUKUDI DISTRICT
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
CRL OP (MD) Nos.18924
& 19069 of 2021
Date :07/12/2021

SS/JM/SAR-IV/27.12.2021 : 3P/5C