



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 13/12/2021

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP (MD) . No.19281 of 2021

1. Jothi @ Jothi Prakash

2. Karunakaran

... Petitioners/Accused No.1 & 2

Vs

State rep.by

The Inspector of Police,

Rajapalayam North Police Station,

Virudhunagar District.

(Crime No.349 of 2021).

... Respondent/Complainant

For Petitioners : M/s.Jegadeesh Pandian M, Advocate.

For Respondent : M/s.S.Manikandan,

Government Advocate (Crl.Side)

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

PRAYER :-

For Anticipatory Bail in Crime No.349 of 2021 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioners, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 294 (b), 323 and 506(ii) of IPC, in Crime No.349 of 2021 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that due to previous enmity, the petitioners along with other accused abused the defacto complainant in filthy language and also attacked him with hands caused injuries to him. Therefore, the present case came to be registered.



3. When the matter is taken up for hearing, the learned counsel appearing for the petitioners seeks the permission of this Court to withdraw this petition insofar as the first petitioner is concerned.

4. In view of the above request made by the learned counsel appearing for the petitioners, this petition is dismissed as withdrawn insofar as the first petitioner is concerned.

5. The learned counsel for the second petitioner submitted that the petitioner is an innocent person and he has been falsely implicated in this case. The petitioners have not committed any offence as alleged by the prosecution.

6. The learned Government Advocate (Crl.Side) appearing for the respondent would submit that four previous cases are pending against the second petitioner.

7. Considering the facts and circumstances of the case, the nature of allegation levelled against this second petitioner and as on date, there is no material against the second petitioner, this Court is inclined to grant anticipatory bail to the second petitioner.

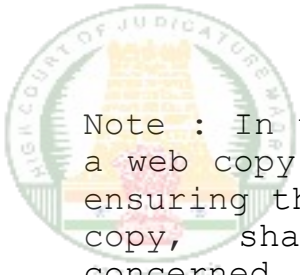
8. Accordingly, the second petitioner is ordered to be released on bail in the event of arrest or his appearance, before the learned Judicial Magistrate, Rajapalayam, Virudhunagar District, and on his executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only), with two sureties, each for a like sum to the satisfaction of the learned Magistrate concerned; and the second petitioner shall appear before the respondent police on every Saturday at 10.30 am until further orders. The second petitioner shall comply with the conditions stipulated under Section 438 Cr.P.C. scrupulously.

9. The second petitioner shall appear before the concerned Magistrate within a period of fifteen days from the date on which the order copy made ready, failing which, the petition for anticipatory bail stands dismissed.

Sd/-
13/12/2021

/ TRUE COPY /

/ /2021
Sub-Assistant Registrar (C.S.II)
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.

WEB COPY

TO

1. THE JUDICIAL MAGISTRATE,
RAJAPALAYAM,
VIRUDHUNAGAR DISTRICT.
2. -DO- THROUGH
THE CHIEF JUDICIAL MAGISTRATE,
VIRUDHUNAGAR DISTRICT AT SRIVILLIPUTHUR.
3. THE INSPECTOR OF POLICE,
RAJAPALAYAM NORTH POLICE STATION,
VIRUDHUNAGAR DISTRICT.
4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER

IN

CRL OP (MD) No.19281 of 2021

Date :13/12/2021

SP/JM/SAR II/28/12/2021/3P/5C