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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 22/12/2021

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.19753 of 2021

1. Pachamal,

2. Lakshmi,

3. Chandran,

... Petitioners/Accused Nos. 1 to 3

Vs

The State Rep. by,
The Sub Inspector of Police,
Naiynarkoil Police Station,
Ramanathapuram District.
(Crime No.307/2021).

... Respondent/Complainant

For Petitioners: Mr.M.Pandian, 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.307 of 2021 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioners/Accused No.1 to 3, apprehending arrest at the hands of the respondent police for the alleged offence punishable under Sections 294(b), 323, 324, 506(ii) I.P.C, in Crime No.307 of 2021 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that due to previous enmity, the accused persons scolded the defacto complainant and his family in filthy language and attacked him. Hence, the complaint.



3. The learned counsel for the petitioners submitted that the petitioners are innocent and they have been falsely implicated in this case. There is a case in counter case. The defacto complainant, who is neighbour has put the waste of fish into the petitioner's house and when the same was questioned, trouble arose.

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4. The learned Government Advocate (Crl. Side) for the respondent police submitted that injured person in this case has been discharged from the hospital. A case in counter case has been registered in Crime No.306 of 2021. In the counter case also the injured person has been discharged from the hospital.

5. Considering the nature of offence, the overt act attributed against the petitioners and the injured person has been discharged in this case as well as in the counter case, this Court is inclined to grant anticipatory bail to the petitioners.

6. Accordingly, this Criminal Original Petition is allowed and the petitioners are ordered to be released on bail in the event of arrest or on their appearance, before the learned Judicial Magistrate, Paramakudi, on condition that the petitioners shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two common sureties each for a like sum to the satisfaction of the learned Magistrate concerned and the petitioners shall appear before the respondent police daily at 10.30 a.m. until further orders. The petitioners shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously.

7. The petitioners 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 stands dismissed.

sd/-
22/12/2021

/ TRUE COPY /

/ /2022
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

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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
PARAMAKUDI.

2 DO-THROUGH :
THE CHIEF JUDICIAL MAGISTRATE,
RAMANATHAPURAM DISTRICT.

3 THE SUB INSPECTOR OF POLICE
NAIYNARKOIL POLICE STATION,
RAMANATHAPURAM DISTRICT.

4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER

IN

CRL OP(MD) No.19753 of 2021

Date :22/12/2021

PKP/JC/SAR-2/05.01.2022/3P/5C