



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

Date : 23/12/2021

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.19966 of 2021

1. M.Bommuraj @ Pomuraj
2. M.Velusamy @ Velsamy
3. M.Venkadesh @ Vengatesh ... Petitioners/Accused Nos.2 to 4

Vs

The State Rep.by
The Inspector of Police,
Rayappanpatti Police Station,
Theni District.
(Crime No.529 of 2021)

... Respondent/Complainant

For Petitioners: Mr.J.Senthil Kumaraiah,
Advocate.

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

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

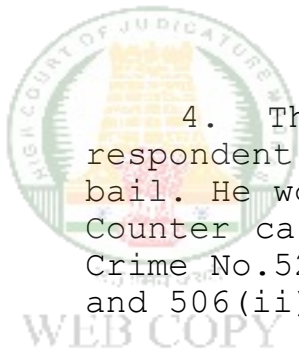
PRAYER :- For Anticipatory Bail in Crime No. 529 of 2021 on the file of the respondent Police.

ORDER : The Court made the following order :-

The petitioners/Accused No.2 to 4, apprehending arrest at the hands of the respondent police for the alleged offence punishable under Sections 294(b), 323, 324 and 506 (ii) of IPC, in Crime No.529 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 petitioners along with other accused said to have abused the defacto complainant in filthy language and also assaulted him with iron rod and hands. Hence, this complaint.

3. The learned counsel for the petitioners submitted that the petitioners are innocent and they have been falsely implicated in this case. He would further submit that it a case and case in counter and injured was discharged from the hospital. Hence, he seeks anticipatory bail to the petitioner.



4. The learned Government Advocate (Crl. Side) for the respondent police submitted that A1 was arrested and released on bail. He would further submit that it is a case and case in counter. Counter case has been registered against the defacto complainant in Crime No.528 of 2021 for the offence under Sections 294(b), 324, 448 and 506(ii) of IPC and the injured was discharged from the hospital.

5. Considering the facts and circumstances of the case and also considering the fact that the injured was discharged from the hospital, that it is a simple issue between the neighbours and that the counter case has been registered against the petitioner, 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, Court, Uthamapalayam, Theni District, on condition that the petitioners shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each with two 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/-

23/12/2021

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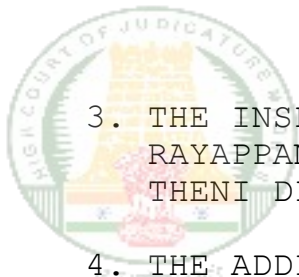
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Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

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,
UTHAMAPALAYAM, THENI DISTRICT.
2. DO-THROUGH THE CHIEF JUDICIAL MAGISTRATE,
THENI DISTRICT.



3. THE INSPECTOR OF POLICE,
RAYAPPANPATTI POLICE STATION,
THENI DISTRICT.

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

+1 CC to M/s.J.SENTHIL KUMARAIAH, Advocate (SR-9796[I] dated
27/12/2021)

ORDER

IN

CRL OP(MD) No.19966 of 2021

Date :23/12/2021

DSS

MS/CN/SAR-3/05.01.2022/3P.6C