



WEB COPY

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.20112 of 2021

Rakki @ Thangarasu

... Petitioner/Accused No.2

Vs

State Rep.by
The Inspector of Police,
Kulithalai Police Station,
Kulithali,
Karur District.
(Crime No.931/2021).

... Respondent/Complainant

For Petitioner : M/s.Arunraj.K,
Advocate.

For Respondent : Mr.R.Meenakshi Sundaram,
Additional Public Prosecutor

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

PRAYER :-

For Anticipatory Bail in Crime No.931/2021 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/Accused No.2 who apprehends arrest at the hands of the respondent police for the offence punishable under sections 294(b), 342 and 307 of IPC, in Crime No.931 of 2021 on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that due to family dispute between the parties, on 21.11.2021, when the husband of the defacto complainant was standing in front of the Balloon shop of the Manickam, the petitioner and the other accused assaulted the husband of the defacto complainant with knife and caused injuries to him. Hence, this complaint.

3.The learned counsel for the petitioner would submit that the petitioner is innocent and he has not committed any offence as alleged by the prosecution. He would further submit that A1 was

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released on regular bail by the Sessions Judge, Karur, in Crl.MP.No.1976 of 2021 on 20.12.2021 and injured was discharged from the hospital. Hence, he seeks anticipatory bail to the petitioner.

4.The learned Additional Public Prosecutor would submit that it is a family dispute between the petitioner and the husband of the defacto complainant. The petitioner is the son-in-law of the husband of the defacto complainant. He would further submit that the petitioner is having 1 previous case similar in nature. But, however, that case ended in acquittal in C.C.No.88 of 2019 on the file of the learned Judicial Magistrate, Kulithalai, on 15.09.2021 and A1 was released on regular bail by the Sessions Judge, Karur, 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 and co-accused was released on regular bail by the Sessions Judge and there was no big issue between the injured and the petitioner, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

6.Accordingly, the 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 learned Judicial Magistrate No.II, Kulithalai, and on further condition that the petitioner shall report before the respondent police daily at 10.30 a.m. until further orders. The petitioner shall comply with the condition stipulated under Section 438 Cr.P.C scrupulously.

7.The petitioner 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

/ TRUE COPY /

/ /2022
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.

WEB COPY

- TO
1. The Judicial Magistrate No.II,
Kulithalai.
 2. Do-Through The Chief Judicial Magistrate,
Karur District.
 3. The Inspector of Police,
Kulithalai Police Station, Kulithali,
Karur District.
 4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.
- +1 CC to M/s.K.ARUNRAJ, Advocate (SR-9769[I] dated 27/12/2021)

ORDER
IN
CRL OP(MD) No.20112 of 2021
Date :23/12/2021

RS/PN/SAR.4(05.01.2022) 3P-6C