



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

Date : 17/12/2021

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.20183 of 2021

1. Ganesan
2. Anand
3. Nesan
4. Karthick @ Karthikeyan
5. Ayyavupandi @ Pandiyarajan
6. Mohan @ Samikumar
7. Mohan @ Mohanraj
8. Seenu @ Seenivasan
9. Saravanan
10. Nagaraj
11. Kannan
12. Karan
13. Pandimurugan
14. Dhanush @ Dhanushkumar ... Petitioners/Accused Nos.1 to 14

Vs

State Rep.by
The Inspector of Police,
Karaikudi North Police Station,
Sivagangai District.
(Crime No.631/2021).

... Respondent/Complainant

For Petitioners: Mr.A.Balaji, Advocate.
For Respondent : Mr.S.Mankandan,
Government Advocate (Crl.Side)

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

PRAYER :- For Anticipatory Bail in Crime No.631 of 2021 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioners/Accused, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 147, 294(b), 323, 506(ii) IPC, in Crime No.631 of 2021, seek anticipatory bail.

2.The case of the prosecution is that on 12.12.2021, a bullock cart race was conducted by the District Rekla Race Association and



at that time the accused persons formed an unlawful assembly, abused and assaulted the *defacto* complainant. Hence, the complaint.

3.The learned counsel for the petitioners would submit that it is a case in counter, based upon the complaint given by the petitioners, the counter case was registered in Crime No.630 of 2021 against the *defacto* complainant party and that injured was treated as out patient in the incident. Hence, prays to release them on anticipatory bail.

4.The learned Government Advocate (Crl.Side) appearing for the respondent would submit that based upon the complaint given by the petitioners, case in counter was registered in Cr.No.630 of 2021 for the offences under Sections 147, 148, 294(b), 342, 323, 326, 506(ii) IPC, against the *defacto* complainant party and in this case injured was treated as out patient.

5.Reading of the FIR shows that during the bullock cart race on 12.12.2021 trouble arose between the parties and both the groups were assaulted each other with weapons. Reading of counter case FIR also shows that in both cases, parties sustained injuries. In this case, the injured was treated as out patient, whereas in the counter case, first petitioner was admitted in the hospital and discharged only on 16.12.2021.

6.Considering the facts and circumstances of this case, nature of dispute between the parties, that injured was treated as out patient and it is a case in counter, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

7.Accordingly, the petitioners are ordered to be released on bail in the event of arrest or their appearance, before the learned Judicial Magistrate, Karaikudi and on their executing 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 am for a period of one month and thereafter, as and when required for interrogation. The petitioners shall comply with the conditions stipulated under Section 438 Cr.P.C. scrupulously.

8.The petitioners 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/-
17/12/2021

/ TRUE COPY /

/ /2021
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, KARAIKUDI.
2. DO-THROUGH THE CHIEF JUDICIAL MAGISTRATE,
SIVAGANGAI DISTRICT.
3. THE INSPECTOR OF POLICE,
KARAIKUDI NORTH POLICE STATION,
SIVAGANGAI DISTRICT.
4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

+1 CC to M/s.A.BALAJI, Advocate (SR-9434[I] dated 17/12/2021)

ORDER

IN

CRL OP(MD) No.20183 of 2021

Date :17/12/2021

PNM

MS/CN/SAR-2/21.12.2021/3P.6C