



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 29/12/2021
PRESENT

The Hon`ble Mrs.Justice S.ANANTHI

CRL OP(MD). No.21020 of 2021

Anthony Chinnappan

... Petitioner/Accused No.7

Vs

The State rep.by,
The Inspector of Police,
Watrap Police Station, Virudhunagar District.
Crime No.260 of 2021.

... Respondent/Complainant

For Petitioner : Mr.G.Karuppasamy Pandiyan, Advocate.

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

PETITION FOR BAIL Under Sec.439 of Cr.P.C.

PRAYER :-For Bail in Crime No.260 of 2021 on the file of the Respondent police.

ORDER : The Court made the following order :-

The petitioner/Accused No.7 herein, who was arrested on 16.11.2021 for the alleged offence under Sections 147, 148, 341, 294 (B), 323, 302 and 506(ii) IPC in Crime No.260 of 2021, on the file of the respondent police, seeks bail.

2.The case of the prosecution is that there is previous enmity between the deceased group and the accused group. Due to which, when the deceased went to see the accused persons, the accused persons picked up quarrel with him and attacked the deceased by using lethal weapons. The deceased is the husband of the defacto complainant. Hence, the complaint.

3.The learned counsel for the petitioner submitted that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. The petitioner is having 90% disability. He was wrongly arrayed as an accused. There is no overt act mentioned against the petitioner in the FIR.

4.The learned Government Advocate (Crl. side) submitted that there is no previous case against the petitioner. The investigation is still pending. There is a planning and sketch by this petitioner only. In order to escape from the clutches of law, with the help of disability, he has moved this petition. He is the main accused and

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5. According to FIR only 6 named accused persons were involved in the occurrence. In the FIR nowhere stated that another person is also involved in the occurrence. To show his disability the petitioner has produced his disability Certificate before this Court. Perusal of the same shows that he was attacked with Polio. In view of the above and considering the period of incarceration, this Court is inclined to grant bail to the petitioner with certain conditions.

6. Accordingly, this Criminal Original Petition is allowed and 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.I, Srivilliputhur and on further condition that the petitioner shall report before the respondent police daily at 10.30 a.m. until further orders.

sd/-
29/12/2021

/ 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.

TO

- 1 THE JUDICIAL MAGISTRATE NO.I,
SRIVILLIPUTHUR.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
VIRUDHUNAGAR DISTRICT AT SRIVILLIPUTHUR.
- 3 THE SUPERINTENDENT,
CENTRAL PRISON, MADURAI.
- 4 THE INSPECTOR OF POLICE
WATRAP POLICE STATION, VIRUDHUNAGAR DISTRICT.
- 5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to Mr.G.KARUPPASAMY PANDIYAN, Advocate (SR-9800[I]dated 29/12/2021)

ORDER IN
CRL OP(MD) No.21020 of 2021
Date :29/12/2021

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MK/PN/SAR.IV/29.12.2021/2P/7C

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