



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 29/12/2021

WEB COPY

PRESENT

The Hon`ble Mrs.Justice S.ANANTHI

CRL OP (MD) . No.20998 of 2021

1. Rajkumar
2. Ayyappan @ Velayutham
3. Aathi @ Aathitiyan ... Petitioners/Accused Nos.1 to 3

Vs

State rep. By,
The Inspector of Police,
Kulithalai Police Station,
Karur District.
(Crime No.984 of 2021). ... Respondent/Complainant

For Petitioner : Mr.Karuna.V.,
Advocate.
For Respondent : Mr.K.Sanjai Gandhi,
Government Advocate (Crl.Side)

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

PRAYER :-

For Anticipatory Bail in Crime No.984 of 2021 on the file of the respondent Police.

ORDER : The Court made the following order :-

The petitioners/Accused Nos.1 to 3, apprehending arrest at the hands of the respondent police for the alleged offence punishable under Sections 294(b), 324 and 506(ii) I.P.C, in Crime No.984 of 2021 on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that during the funeral ceremony of grandmother of the petitioner, the defacto complainant burst crackers and hurt the first petitioner. Hence, the petitioners attacked the defacto complainant, due to which, the defacto complainant sustained injuries. Hence, the case was registered against the petitioners.

<https://hcservices.equitynet.in/hcservices> 3.The learned counsel for the petitioners submitted that the petitioners are innocent persons and they have been falsely implicated in this case. He would further submit that it is a



counter case.

4.The learned Government Advocate (Crl.Side) for the respondent police submitted that the injured person has been discharged from the hospital. He would further submit that the petitioners 2 and 3/A2 and A3 are not having any previous case and that the first petitioner/A1 is having two previous case.

5.Considering the previous antecedents of the first petitioner/A1, this Court is not inclined to grant anticipatory bail to the first petitioner/A1. Accordingly, this Criminal Original Petition is dismissed as against the first petitioner/A1.

6.Considering the nature of offence, the injured person has been discharged from the hospital and the fact that no previous case is pending against the petitioners 2 and 3, this Court is inclined to grant anticipatory bail to the petitioners 2 and 3.

7.Accordingly, this Criminal Original Petition is allowed as against the petitioners 2 and 3 and petitioners 2 and 3 are ordered to be released on bail in the event of arrest or on their appearance, before the learned Judicial Magistrate No.II, Kulithalai, on condition that the petitioners 2 and 3 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 2 and 3 shall appear before the respondent police daily at 10.30 a.m. for a period of thirty days and thereafter, as and when required for interrogation. The petitioners 2 and 3 shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously.

8.The petitioners 2 and 3 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/-
29/12/2021

/ 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.



TO

1. The Judicial Magistrate No.II,
Kulithali.
2. Do Through The Chief Judicial Magistrate,
Karur.
3. The Inspector of Police,
Kulithalai Police Station,
Karur District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

ORDER

IN

CRL OP(MD) No.20998 of 2021

Date :29/12/2021

RS/CN/SAR.3 (03.01.2022) 3P-5C