



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 03/02/2022

WEB COPY

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD) . No.82 of 2022

Sangili

... Petitioner/Accused No.1

Vs

State rep.by

The Inspector of Police,
Theni Town Police Station,
Theni District.

(Cr.No.1089 of 2021).

... Respondent/Complainant

For Petitioner : M/s.Maharaja M, Advocate.

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

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

PRAYER :-

For Anticipatory Bail in Crime No.1089 of 2021 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/Accused No.1, apprehending arrest at the hands of the respondent police for the alleged offence punishable under Sections 147, 148, 341, 294(b), 324, 307 of IPC @ 147, 148, 341, 294 (b), 324, 307 of IPC r/w 25(1)(b) of Arms Act, in Crime No.1089 of 2021 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that on 26.12.2021 at about 1.30 p.m. when the defacto complainant's party went to their leader's death anniversary, the petitioner's party way laid them and abused in filthy language and attacked them. Hence, the complaint.

3. The learned counsel for the petitioner submitted that the petitioner is innocent and he has been falsely implicated in this case. He would further submit that only with political motive, the defacto complainant along with their party members attacked the



petitioner's party members. Hence, a counter case in Crime No.1090 of 2021 before the same police station has been registered.

4. The learned Government Advocate (Crl. Side) for the respondent police submitted that there is a dispute between two rival groups. There is a case and counter case. Injured in both cases were discharged from the hospital. Some of the accused in both cases were enlarged on bail and anticipatory bail by the trial Court.

5. Considering the nature of offence, there is a counter case, injured in both cases were discharged from the hospital and the co-accused in both cases were released on bail and anticipatory bail by the trial Court, this Court is inclined to grant anticipatory bail to the petitioner.

6. Accordingly, this Criminal Original Petition is allowed and petitioner is ordered to be released on bail in the event of arrest or on his appearance, before the learned Judicial Magistrate, Theni, on condition that the petitioner shall execute a 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 Magistrate concerned and the petitioner shall appear before the respondent police once in fifteen days 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/-
03/02/2022

/ TRUE COPY /

/ /2022
Sub-Assistant Registrar (C.S.I)
Madurai Bench of Madras High Court,
Madurai - 625 023.

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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.



1. THE JUDICIAL MAGISTRATE, THENI.

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

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

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

ORDER
IN
CRL OP(MD) No.82 of 2022
Date :03/02/2022

SP/SBN/SAR I/10/02/2022/3P/5C