



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 06/01/2022

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PRESENT

The Hon`ble Mrs.Justice R.THARANI

CRL OP(MD). No.194 of 2022

Balamanikandan

... Petitioner/Accused No.7

Vs

State rep.by
The Inspector of Police,
Tiruthangal Police Station,
Virudhunagar District.
(Crime No.571 of 2021)

... Respondent/Complainant

For Petitioner : M/s.Iniyavan 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.571 of 2021 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner apprehending arrest at the hands of the respondent police for the alleged offence punishable under Sections 147, 148, 294(b), 323, 427 and 506(ii) I.P.C, in Crime No.571 of 2021, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that there was money transaction between the first accused and the defacto complainant. On 10.12.2021, at about 3.30 pm., the defacto complainant waylaid the first accused and demanded to repay the amount and also taken away the cell phone belong to him. Due to which, the petitioner and other accused said to have abused the defacto complainant using filthy language and attacked him and damaged the bike of the defacto complainant and also threatened him with dire consequences. Hence the complaint.



3. The learned counsel for the petitioner submitted that the petitioner is an innocent and he has been falsely implicated in this case. He has further submitted that this is a case and case in counter and prayed the petition to be allowed.

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4. The learned Government Advocate (Crl. Side) for the respondent police submitted that totally there are 7 accused in this case and the petitioner damaged the bike of the complainant. A1 and A5 were already arrested and thereafter released on bail. The defacto complainant sustained simple injury and he was treated as out patient.

5. Considering the nature of offence and considering the fact that defacto complainant sustained simple injury, this Court is inclined to grant anticipatory 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 in the event of arrest or on his appearance, before the learned Judicial Magistrate No.II, Sivakasi, 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 daily at 10.30 a.m. until further orders

Sd/-
06/01/2022

/ 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.



TO

1. THE JUDICIAL MAGISTRATE NO.II,
SIVAKASI.

2. -DO- THROUGH
THE CHIEF JUDICIAL MAGISTRATE,
VIRUDHUNAGAR DISTRICT AT SRIVILLIPUTHUR.

3. THE INSPECTOR OF POLICE
TIRUTHANGAL POLICE STATION,
VIRUDHUNAGAR DISTRICT.

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

ORDER
IN
CRL OP(MD) No.194 of 2022
Date :06/01/2022

SP/JM/SAR I/11/01/2022/3P/5C