



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 11/01/2022
PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.210 of 2022

1.Palanisamy
2.Murugan
3.Mohandass @ Mohan ... Petitioners/Accused 1 to 3

Vs

The State rep.by,
The Inspector of Police,
Guzilamparai Police Station, Dindigul District.
Crime No.751 of 2021. ... Respondent/Complainant

For Petitioner : Mr.S.Sivaprakash, Advocate.
For Respondent : Mr.R.M.S.Sethuraman,
Additional Public Prosecutor

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

PRAYER :-For Anticipatory Bail in Crime No.751 of 2021 on the file of the Respondent Police.

ORDER : The Court made the following order :-

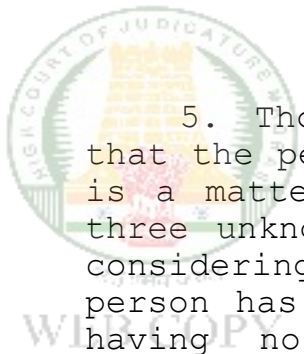
The petitioners/Accused No.1 to 3, apprehending arrest at the hands of the respondent police for the alleged offence punishable under Sections 294(b), 324, 506(ii) of IPC in Crime No.751 of 2021 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that on 28.11.2021 at about 5.30 a.m., when the defacto complainant was coming by his two wheeler near Saran City at Kovilpatti, a white Bolero Car hit the defacto complainant's two wheeler and he fell down uncontrollably. At that time three unknown person attacked the defacto complainant by wooden stick. The defacto complainant has caused injuries and based on suspicion of the defacto complainant, the FIR has been registered.

3. The learned counsel for the petitioners submitted that the petitioners are innocent and they have been falsely implicated in this case. These petitioners are not present in the place of occurrence.

4. The learned Additional Public Prosecutor for the respondent police submitted that the injured has been hospitalized for head injury and was discharged on 05.01.2022. Due to previous enmity the

<https://hccservices.mca.gov.in/hccservices> assaulted the injured with deadly weapons.



5. Though the learned counsel for the petitioners submitted that the petitioners are not present in the place of occurrence, it is a matter of investigation. Reading of the FIR shows that some three unknown persons assaulted the defacto complainant. However, considering the fact and circumstances of the case, the injured person has been discharged from the hospital and the petitioner is having no previous case, this Court is inclined to grant anticipatory bail to the petitioners.

6. Accordingly, this Criminal Original Petition is allowed and the petitioners are ordered to be released on bail in the event of arrest or on their appearance, before the learned Judicial Magistrate, Vendasandur, on condition that the petitioners 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 shall appear before the respondent police once in fifteen days at 10.30 a.m. until further orders. The petitioners shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously.

7. The petitioners 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/-

11/01/2022

/ 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
VEDASANDUR.
- 2 DO-THROUGH THE CHIEF JUDICIAL MAGISTRATE,
DINDUGAL DISTRICT.
- 3 THE INSPECTOR OF POLICE
GUZILAMPARAI POLICE STATION, DINDIGUL DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER IN

CRL OP(MD) No.210 of 2022

Date :11/01/2022

TM