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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 12.01.2022

PRESENT

The Hon'ble Mr.Justice G.ILANGO VAN

CRL OP(MD) . No.564 of 2022

Pradeep

... Petitioner/Accused

Vs

State rep.by,
The Inspector of Police,
Musiri Police Station,
Trichy District.
(Crime No.480/2021).

... Respondent

For Petitioner : M/s.B.Vetrivel, Advocate

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

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

PRAYER :-

For Anticipatory Bail in Crime No.480/2021 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/Accused, apprehending arrest at the hands of the respondent police for the alleged offences punishable under Sections 147, 294(B), 323 and 506(i) I.P.C,1860 in Crime No.480 of 2021 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that on 02.12.2021, at about 05.00 pm., the de-facto complainant and others returned from the school. The accused person alleged and locked the bicycle of the above said de-facto complainant. When that was objected they entered into quarrel and assaulted them with wooden log. One Mr.Balaji, who intervening was also assaulted. Based upon the complaint given by



the de-facto complainant, the case was registered. 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.

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4. The learned Government Advocate (Crl. Side) for the respondent police submitted that the injured person has been discharged from the hospital. There was no previous case against the petitioner and the co-accused have been granted bail.

5. Considering the nature of offence and considering the fact that the injured person has been discharged from the hospital and the co-accused have been released on bail, 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, Musiri 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 a month 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/-
12/01/2022

/ TRUE COPY /

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

gbg/btr

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, MUSIRI.
2. -DO-THROUGH
THE CHIEF JUDICIAL MAGISTRATE,
TRICHY DISTRICT.
3. THE INSPECTOR OF POLICE,
MUSIRI POLICE STATION,
TRICHY DISTRICT.
4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER
IN
CRL OP (MD) No.564 of 2022
Date :12/01/2022

SP/PN/SAR II/01/02/2022/3P/5C