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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Date : 28/01/2022

PRESENT

The Hon`ble Mrs.Justice R.THARANI

CRL OP(MD) . No.1475 of 2022

1. Santhosh @ Santhoshkumar
2. Praveen @ Sagaya Praveen Kumar ... Petitioners/Accused
No.1 & 2

Vs

State rep.by
The Inspector of Police,
Samayapuram Police Station,
Trichy District.
(In Crime No.6/2022). ... Respondent/Complainant

For Petitioners: M/s.K.Yasar Arafath, 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.6 of 2022 on the file of the respondent Police.

ORDER : The Court made the following order :-

The petitioners/Accused, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 294 (b), 324, 506(ii) IPC, in Crime No.6 of 2022, seek anticipatory bail.

2.The case against the petitioners is that on 04.01.2022, the petitioners scolded the *defacto* complainant in filthy language and attacked him with arival and threatened him with dire consequences. The case in Crime No.6 of 2022 was registered against the petitioners under Sections 294(b), 324, 506(ii). The petitioners filed this petition for anticipatory bail.



3. On the side of the petitioners it is stated that only due to previous motive a false case was foisted against the petitioners. Injured was discharged from the hospital and pray the petitioners to be released on anticipatory bail.

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4. On the side of prosecution it is stated that only due to petty dispute, the petitioners assaulted the *defacto* complainant and caused injuries. It is admitted that the victim was discharged from the hospital and pray the petition to be dismissed.

5. The petition for the first petitioner is dismissed as withdrawn.

6. Considering the nature of the offence and the fact that there is no bad antecedents against the second petitioner, this Court is inclined to grant bail to the second petitioner alone with certain conditions.

7. Accordingly, the second petitioner is ordered to be released on bail in the event of arrest or his appearance, before the learned Judicial Magistrate No. III, Trichy and on his executing 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 second petitioner shall appear before the respondent police daily at 10.30 am for a period of one month and thereafter, as and when required for interrogation. The second petitioner shall comply with the conditions stipulated under Section 438 Cr.P.C. Scrupulously.

8. The second petitioner shall appear before the concerned Magistrate within a period of fifteen days from the date on which the order copy made ready, failing which, the petition for anticipatory bail stands dismissed.

Sd/-
28/01/2022

/ TRUE COPY /

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

PNM

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 NO.III
TRICHY.

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

3. THE INSPECTOR OF POLICE,
SAMAYAPURAM POLICE STATION,
TRICHY DISTRICT.

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

ORDER
IN
CRL OP (MD) No.1475 of 2022
Date :28/01/2022

SP/PA/SAR IV/04/02/2022/3P/5C