



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 20/06/2022

WEB COPY

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD) . No.9844 of 2022

1. Thirumurugan
2. Jegan Arjun @ Jeganarchunan ... Petitioners/Accused Nos.1 and 2

Vs

State represented by
The Inspector of Police,
Mudukulathur Police Station,
Ramanathapuram District
(Crime No.130 of 2022)

... Respondent/Complainant

For Petitioners :Mr.T.Veerakumar,
Advocate.

For Respondent : Mr.B.Thanga Aravindh,
Government Advocate (Crl.Side)

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

PRAYER :-For Anticipatory Bail in Crime No. 130 of 2022 on the file of the respondent Police.

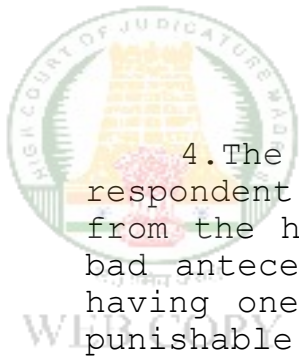
ORDER : The Court made the following order :-

The petitioners/Accused Nos.1 and 2, apprehending arrest at the hands of the respondent police for the alleged offence punishable under Sections 341, 294(b), 324 and 506(ii) I.P.C. in Crime No.130 of 2022 on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that when the defacto complainant went to the TASMACHOP for purchase of the card board, the petitioners entered into a wordy quarrel and assaulted him. Hence, the complaint.

3.Reading of the FIR shows that when the defacto complainant went to the TASMACHOP for purchase of the card board, trouble has arisen between the parties, over which the defacto complainant was

<https://www.courts.madras.gov.in/cse/cases/>



4.The learned Government Advocate (Crl. Side) for the respondent police submitted that the injured has been discharged from the hospital on 26.05.2022 and the 2nd petitioner is having no bad antecedents. Insofar as the 1st petitioner is concerned, he is having one previous case in Crime No.130 of 2022 for the offences punishable under Sections 341, 294(b), 324 and 506(ii) of IPC.

5.The learned counsel appearing for the petitioners submits that the aforesaid occurrence took place in 2017 and thereafter, no case has been registered against the 1st petitioner.

6.Considering the antecedents of the petitioners, the 2nd petitioner alone is entitled for the discretionary relief of granting anticipatory bail and even though the learned counsel for the petitioners submitted that even on the reading of the FIR, no overt act can be attributed against the 1st petitioner, this Court is not inclined to grant anticipatory bail to the 1st petitioner.

7.Accordingly, this Criminal Original Petition is allowed and the 2nd petitioner is ordered to be released on bail in the event of arrest or on his appearance, before the learned Judicial Magistrate, Mudukulathur, Ramanathapuram District, on condition that the 2nd 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 2nd petitioner shall appear before the respondent police daily at 10.30 a.m. until further orders. The 2nd petitioner shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously.

8.The 2nd 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. Insofar as the 1st petitioner is concerned, this petition is dismissed considering the previous antecedents of the 1st petitioner.

sd/-

20/06/2022

/ TRUE COPY /

24/06/2022

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,
MUDUKULATHUR, RAMANATHAPURAM DISTRICT.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE
RAMANATHAPURAM DISTRICT.

3 THE INSPECTOR OF POLICE
MUDUKULATHUR POLICE STATION,
RAMANATHAPURAM DISTRICT

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

+1 CC to M/s.T.VEERA KUMAR, Advocate (SR-5827[I] dated 21/06/2022)

ORDER

IN

CRL OP(MD) No.9844 of 2022

Date :20/06/2022

MM

MK/JM/SAR.IV/24.06.2022/3P/6C