



WEB COPY

CRL OP(MD). N



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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 18/08/2022

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.10088 of 2022

and

CrI.M.P.(MD) No.6682 of 2022

1. Pandiyan

2. Velayutham

... Petitioners/Accused No.1&2

Vs

The State rep.by,
The Inspector of Police,
Keeramangalam Police Station,
Pudukkottai District.
Crime No.105 of 2022.

... Respondent/Complainant

For Petitioners : Mr.Balakrishnan.R,
Advocate.

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

For Intervenor : Mr.R.Maheswaran, Advocate

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

PRAYER :-

For Anticipatory Bail in Crime No.105 of 2022 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioners are facing charges under Sections 294(b), 323, 324 and 506(1) IPC in Crime No.105 of 2022 on the file of the respondent police.

2.Perusal of record shows that it is a case and counter case and there was dispute between the two brothers. For the purpose of settlement, the matter was referred to mediation, but no compromise was reached between the parties.



3.The learned counsel for the petitioners would submit the defacto complainant claims excess share and because of that only, it could not be succeeded.

4.Since it is a case and counter case and even though the petitioners are not having good conduct, in which they also got injured, only on the sole ground, this Court is inclined to grant anticipatory bail to the petitioners, on the basis of the undertaking that has been given by these petitioners.

5.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 District Munsif cum Judicial Magistrate, Alangudi, 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 daily at 10.30 am., until further orders. The petitioners shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously. If any violation is noticed, the respondent police is at liberty to initiate appropriate action and to secure the petitioners.

6.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 shall stand dismissed. Consequently, connected miscellaneous petition is closed.

sd/-

18/08/2022

/ TRUE COPY /

/09/2022

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

MM

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 DISTRICT MUNSIF CUM JUDICIAL MAGISTRATE, ALANGUDI.

2.DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
PUDUKKOTTAI.



3. THE INSPECTOR OF POLICE,
KEERAMANGALAM POLICE STATION,
PUDUKKOTTAI DISTRICT.

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

+1. CC to M/S. BALAKRISHNAN R Advocate SR.No.8797

ORDER

IN

CRL OP(MD) No.10088 of 2022

Date :18/08/2022

RK/SVR/SAR-IV (01/09/2022) 3P/6C