



WEB COPY



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

Date : 08/07/2022

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD) . No.10993 of 2022

1. Kural Arasann
2. Kalaidevan @ Vijay ... Petitioners/Accused No.3 & 6

Vs

State rep.by
The Inspector of Police,
Madukkur Police Station,
Thanjavur.
(Crime.No.257 of 2022). ... Respondent/Complainant

For Petitioners: M/s.Pragadeesh Kumar K,
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. 257 of 2022 on the file of the Respondent police.

ORDER : The Court made the following order :-

The petitioners/Accused No.3 & 6, apprehending arrest at the hands of the respondent police for the alleged offence punishable under Sections 147, 148, 324 and 307 of I.P.C, in Crime No.257 of 2022 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that on 09.06.2022, at about 07.00 p.m, there was wordy quarrel between the first accused and the defacto complainant. Due to which, at about 08.00 p.m on the very same day, the petitioners along with other accused said to have abused and assaulted the defacto complainant and his brother with aruval and caused severe injury. Hence, the complaint.



3. The learned counsel for the petitioners submitted that the petitioners are innocent and they have been falsely implicated in this case. He further submitted that the co-accused was released on regular bail by this Court, in CrI.OP(MD)No.11197 of 2022, dated 27.06.2022. Hence, he prays for grant of anticipatory bail to the petitioners.

4. Even though co-accused has been granted regular bail, reading of the entire CD file shows that one of the finger of the injured has been cut.

5. The learned counsel for the petitioners would submit that even as per the allegation that has been made in the FIR, no specific overt act has been attributed against the petitioners in respect of the above said injury. In counter case in Crime No.256 of 2022, the defacto complainant has been granted anticipatory bail by the learned Principal Sessions Judge, Thanjavur, only on the ground that the defacto complainant's left finger has been cut and removed and he was in hospital.

6. Considering the grievousness of the injury that has been caused to the injured, the petitioners are directed to surrender before the respondent police.

7. With the above direction, this Criminal Original Petition is dismissed.

Sd/-
08/07/2022

/ TRUE COPY /

/07/2022
Sub-Assistant Registrar (C.S.II)
Madurai Bench of Madras High Court,
Madurai - 625 023.

DSS

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 INSPECTOR OF POLICE,
MADUKKUR POLICE STATION,
THANJAVUR.
2. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER
IN
CRL OP (MD) No.10993 of 2022
Date :08/07/2022

SP/SVR/SAR II/15/07/2022/3P/3C