



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 07/07/2022

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.11132 of 2022

WEB COPY

1.Murugan
2.Bagavathi Raja

... Petitioners/Accused 1 & 2

Vs

State Rep.by
The Inspector of Police,
Seevalaperi Police Station,
Tirunelveli District.
Cr.No.110/2022.

... Respondent/Complainant

For Petitioners : M/s.D.Venkatesh, 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.110/2022 on the file of the respondent police

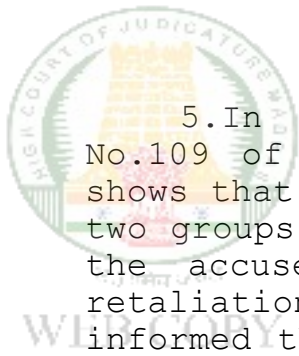
ORDER : The Court made the following order :-

The petitioners/Accused No.1 and 2, apprehending arrest at the hands of the respondent police for the alleged offence punishable under Sections 341, 294(b), 323 and 506(ii) of IPC in Crime No.110 of 2022 on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that on 14.06.2022, temple festival was conducted in the village and at that time at about 10.15 p.m., when the defacto complainant along with one Vignesh riding the bike near Balamadai Panchayat Board, the accused person came there, waylaid them, assaulted, pushed them down, made them injured and criminally intimidated. 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. There is a case in counter case.

4.The learned Government Advocate (Crl. Side) for the respondent police submitted that the injured person has been discharged from the hospital. There is a case in counter case has been registered.



5. In respect of the very same occurrence, a case No.109 of 2022 has been registered. Reading of the counter case shows that at the same place and same time there was scuffle between two groups of people. Initially it was alleged that the brother of the accused was murdered 10 years back and only due to the retaliation this incident happened. But after verification, it was informed that this occurrence is not connected with the above said murder. In that case, the accused was acquitted after full trial.

6. Considering the facts and circumstances of the case and the injured persons was discharged from the hospital, this Court is inclined to grant anticipatory bail to the petitioners.

7. 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 Judicial Magistrate No.III, Tirunelveli, 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 a.m. until further orders. The petitioners shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously.

8. 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 stands dismissed.

sd/-

07/07/2022

/ TRUE COPY /

/07/2022

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 NO.III, TIRUNELVELI.

2 DO-THROUGH : THE CHIEF JUDICIAL MAGISTRATE, TIRUNELVELI DISTRICT.



3 THE INSPECTOR OF POLICE, SEEVALAPERI POLICE STATION,
TIRUNELVELI DISTRICT.

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

+1 CC to M/s.D.VENKATESH, Advocate (SR-6802[I] dated 08/07/2022)

ORDER

IN

CRL OP(MD) No.11132 of 2022

Date :07/07/2022

RS/PN/SAR.1 (13.07.2022) 3P-6C