



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

Date : 23/06/2022

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.11117 of 2022

WEB COPY

Padmanathan

... Petitioner/Accused No.3

Vs

The State Rep. By,
The Inspector of Police,
Nachiyarkoil Police Station,
Thanjavur District.
Crime No.408 of 2022.

... Respondent/Complainant

For Petitioner : M/s.Karunanithi M,
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.408 of 2022 on the file of the Respondent Police.

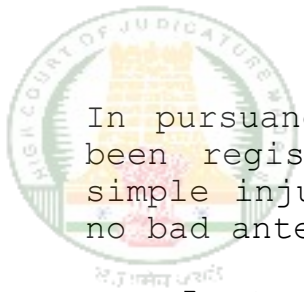
ORDER : The Court made the following order :-

The petitioner/Accused No.3, apprehending arrest at the hands of the respondent police for the alleged offence punishable under Sections 294(b), 324 and 506(ii) I.P.C, in Crime No.408 of 2022 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that on 16.06.2022, due to the enmity between two groups regarding the administration of the temple, the petitioner along with other accused attacked the defacto complainant with wooden log. Hence, the complaint.

3. The learned counsel for the petitioner submitted that the petitioner is innocent and he has been falsely implicated in this case. He further submitted that it is a case and case in counter. Earlier, the defacto complainant and his group attacked the petitioner and his group. Hence, a case has been registered against the defacto complainant in Crime No.409 of 2022. Hence, he prays for grant of anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl. Side) for the respondent police submitted that the petitioner is arrayed as A3 in this case. It is a dispute over the property, which belongs to the temple. Due to which, there is a clash between two groups of people.



In pursuance of the above said issue, cash and counter case have been registered. The persons in both the groups, sustained only simple injuries and they have been discharged from the hospital and no bad antecedents are reported against the petitioner.

5. Considering the facts and circumstance of the case and also considering the fact that it is a case and case in counter, the injured persons have been discharged from the hospital and no bad antecedents are reported against the petitioner, this Court is inclined to grant anticipatory bail to the petitioner.

6. Accordingly, this Criminal Original Petition is allowed and petitioner is ordered to be released on bail in the event of arrest or on his appearance, before the learned Judicial Magistrate No.II, Kumbakonam, Thanjavur District, on condition that the 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 petitioner shall appear before the respondent police daily at 10.30 a.m. until further orders. The petitioner shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously.

7. The 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.

sd/-
23/06/2022

/ TRUE COPY /

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

TO

1. THE JUDICIAL MAGISTRATE NO.II, KUMBAKONAM
2. DO-THROUGH : THE CHIEF JUDICIAL MAGISTRATE,
THANJAVUR DISTRICT AT KUMBAKONAM.
3. THE INSPECTOR OF POLICE,
NACHIYARKOIL POLICE STATION,
THANJAVUR DISTRICT.
4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.M.KARUNANITHI, Advocate (SR-6019[I] dated 23/06/2022)

ORDER IN
CRL OP(MD) No.11117 of 2022
Date :23/06/2022