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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 30/06/2022

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD) . No.11647 of 2022

1. K.Rajaguru
2. K.Saravanakumar
3. K.R.Sathiyavan
4. K.Rajendran
5. Muthuselvam
6. V.Karunanithi

... Petitioners/Accused
Rank Not Known

Vs

State rep.by
The Inspector of Police,
Madhagupatti Police Station,
Sivagangai District.
(Crime.No.131/2022).

... Respondent/Complainant

For Petitioners: M/s.Jeyakumaran J, Advocate.

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

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

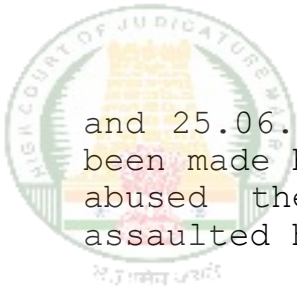
PRAYER :-

For Anticipatory Bail in Crime No.131 of 2022 on the file of the Respondent police.

ORDER : The Court made the following order :-

The petitioners/Accused No.Rank Not Known, apprehending arrest at the hands of the respondent police for the alleged offence punishable under Sections 147, 294(b), 323 and 506(i) of IPC, in Crime No.131 of 2022 on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that in respect of giving first honour in the temple festival, there was a dispute between the parties. Due to which, a complaint has been registered against them. In this case, a Peace Committee Meeting was held on 24.06.2022



and 25.06.2022. In the Peace Committee Meeting, again trouble has been made between the parties, whereby, the petitioners said to have abused the defacto complainant with filthy language and also assaulted him. Hence, the present complaint.

3.The learned counsel for the petitioners submitted that the petitioners are innocent persons and they have not committed any offence as alleged by the prosecution. He further submitted that in the very same occurrence, case in Crime No.130 of 2022 was also registered on the basis of the complaint given by the petitioners against the defacto complainant.

4.The learned Government Advocate (Crl.Side) would submit that in both sides injured sustained only simple injury and no previous case is pending against the petitioners. It is a case and case in counter. Counter complaint has been registered in Crime No.130 of 2022.

5.Reading of the counter complaint shows that trouble has arisen between two groups of people in pursuant to previous enmity with regard to the first honour in the temple festival. In which, both sides assaulted each other and sustained injuries.

6.Considering the period of incarceration and also considering the fact that in both sides injured sustained only simple injury and no bad antecedents reported against the petitioners, this Court is inclined to grant bail to the petitioners with stringent conditions.

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.I, Sivagangai, 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/-
30/06/2022

/ TRUE COPY /

/ /2022
Sub-Assistant Registrar (C.S.I)
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.I,
SIVAGANGAI.
2. -DO- THROUGH
THE CHIEF JUDICIAL MAGISTRATE,
SIVAGANGAI DISTRICT.
3. THE INSPECTOR OF POLICE,
MADHAGUPATTI POLICE STATION,
SIVAGANGAI DISTRICT.
4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

+1. CC to M/S.JEYAKUMARAN J Advocate SR.No.6460

ORDER
IN
CRL OP(MD) No.11647 of 2022
Date :30/06/2022

SP/PN/SAR I/11/07/2022/3P/6C