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CRL OP(MD). A



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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 01/07/2022

PRESENT

The Hon`ble Mr.Justice G.ILANGOVAN

CRL OP(MD). No.11829 of 2022

1. Sureshkumar @ Santhose,

2. Kathick,

... Petitioners/Accused No. 1 & 3

Vs

State Rep.by
The Inspector of Police,
Aundipatti Police Station,
Theni District.

... Respondent/Complainant

For Petitioners : Mr.C.Susi Kumar, 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. 212 of 2022 on the file of the Respondent police.

ORDER : The Court made the following order :-

The petitioners, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 294(b), 427 and 506(ii) of IPC, in Crime No.212 of 2022, on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that due to property dispute, the petitioners along with other accused trespassed into the house of the defacto complainant, abused him in filthy language also attacked him with deadly weapon and caused injuries to him.

Wherefore, the present case came to be registered.



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.

4.The learned Government Advocate (Crl.Side) appearing for the respondent would submit that no one was injured in the said occurrence and no previous case is pending against this petitioners. He should further submit that the petitioners damaged the windows glass of the defacto complainant's house.

5.Considering the facts and circumstances of the case and also the fact that no one was injured in the said occurrence, this Court is inclined to grant bail to the petitioners, however, with stringent conditions.

6.Accordingly, the petitioners are ordered to be released on bail in the event of arrest or their appearance, before the learned Judicial Magistrate, Aundipatti, and on their executing 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 on every Saturday at 10.30 am until further orders. The petitioners shall comply with the conditions stipulated under Section 438 Cr.P.C. Scrupulously.

7.The petitioners shall deposit a sum of Rs.2,000/- (Rupees Two Thousand only) to the credit of Cr.No.212 of 2022 before the learned Judicial Magistrate, Aundipatti, within a period of two weeks from the date of receipt of copy of this order.

8.The petitioners shall appear before the concerned Magistrate within a period of fifteen days from the date on which the order copy made ready, failing which, the petition for anticipatory bail stands dismissed.

sd/-
01/07/2022

/ TRUE COPY /

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

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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,
AUNDIPATTI.

2 DO THROUGH:
THE CHIEF JUDICIAL MAGISTRATE,
THENI DISTRICT.

3 THE INSPECTOR OF POLICE
AUNDIPATTI POLICE STATION,
THENI DISTRICT.

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

ORDER

IN

CRL OP(MD) No.11829 of 2022

Date :01/07/2022

PKP/JM/SAR-2/08.07.2022/3P/5C