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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.11826 of 2022**

1. Bupathi @ Poopathiraja
2. Periyakaruppan
3. Thavasi
4. Kali @ Karuppu

... Petitioners/Accused  
1,2,4 & 5

Vs

State rep.by  
The Sub Inspector of Police,  
Elumalai Police Station,  
Madurai District.  
(Crime No.119 of 2022).

... Respondent/Complainant

For Petitioners : M/s.Rajeshwaran 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.119 of 2022 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioners/Accused No.1, 2, 4 & 5, apprehending arrest at the hands of the respondent police for the alleged offence punishable under Sections 147, 341, 323, 324 & 506(ii) of IPC, in Crime No.119 of 2022 on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that on 16.06.2022, when the defacto complainant along with one Thangaraj standing near the Therkuthuru Elumalai Palvaadi, due to previous enmity, the petitioners along with other accused attacked the defacto



complainant with wooden log and rod and also with hands and threatened the defacto complainant as they would kill him. Due to which the defacto complainant sustained blood injuries and taken to hospital. Hence, the complaint.

3. The learned counsel for the petitioners submitted that the petitioners are innocent persons. The learned counsel for the petitioner submitted that the defacto complainant is not good conduct and he teasing the daughter of the first petitioner. Hence, the trouble arose between them. Therefore, the false case has been foisted against them.

4. The learned Government Advocate (Crl. Side) submitted that there is a case in counter case and the injured persons in both cases have been discharged from the hospital.

5. Crime No.118 of 2022 has been registered as a counter case. But, however, the injured in both the cases have been discharged from the hospital.

6. Considering the nature of offence, the overt act attributed against the petitioners, there was a counter case has been registered and the injured person in both cases have been discharged from the hospital, this Court is inclined to grant anticipatory bail to the petitioners.

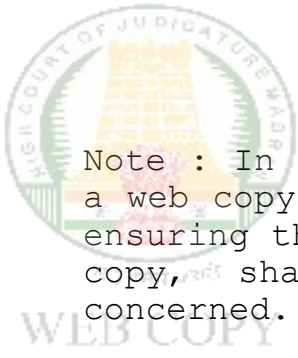
7. Accordingly, this Criminal Original Petition is allowed and the petitioners are ordered to be released on bail in the event of arrest or on their appearance, before the learned Judicial Magistrate No.II, Usilampatti, Madurai District, on condition that the petitioners shall execute a bond for a sum 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 /

/ /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.II,  
USILAMPATTI,  
MADURAI DISTRICT.
  2. -DO-THROUGH  
THE CHIEF JUDICIAL MAGISTRATE,  
MADURAI DISTRICT.
  3. THE SUB INSPECTOR OF POLICE,  
ELUMALAI POLICE STATION, MADURAI  
DISTRICT.
  4. THE ADDITIONAL PUBLIC PROSECUTOR,  
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- +1. CC to M/S.RAJESHWARAN K Advocate SR.No.6749

ORDER  
IN  
CRL OP(MD) No.11826 of 2022  
Date :07/07/2022

SP/SVR/SAR I/14/07/2022/3P/6C