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CRL OP(MD). A



22

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

Date : 21/07/2022

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.11881 of 2022

1. Shanmugavel,

2. Sundaram,

Vs

... Petitioners/Accused Rank Not Known

State Rep.by

The Inspector of Police,
Ambilikkai Police Station,
Dindigul District.
Crime No. 95/2022.

... Respondent/Complainant

K.Sadayappan

...Petitioner/Defacto Complainant
in CRL MP(MD)No.8035 of 2022

For Petitioners: Mr.D.Venkatesh, Advocate.

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

For Intervener : MR.C.Gangai Amaran, Advocate.
In CRL MP(MD)No. 8035 of 2022

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

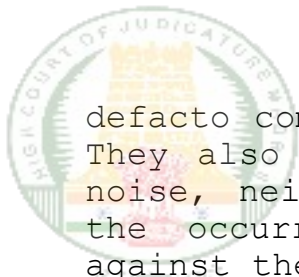
PRAYER :-

For Anticipatory Bail in Crime No. 95 of 2022 on the file of
the respondent Police.

ORDER : The Court made the following order :-

The petitioners/Accused (Rank Not Known), apprehending arrest
at the hands of the respondent police for the alleged offences
punishable under Sections 294(b), 307 r/w 109 of I.P.C, in Crime
No.95 of 2022 on the file of the respondent police, seek
anticipatory bail.

2. The case of the prosecution is that due to the election
motive, on the date of occurrence, namely, on 24.06.2022, at about
<https://www.h2o.gov.in/indis> the accused persons came to the brother's house of the



defacto complainant and asked his brother to come out of the house. They also said to have assaulted him with a mallet. On hearing the noise, neighbours gathered and the accused persons fled away from the occurrence place. Hence, present case has been registered against the accused persons.

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3. The learned counsel for the petitioners submitted that the petitioners are innocent and they have been falsely implicated in this case. He further submitted that no one sustained injury. Hence, he prays for grant of anticipatory bail to the petitioners.

4. The learned Government Advocate (Crl. Side) for the respondent police submitted that because of the previous enmity over the election issue, repeated complaints have been lodged against the petitioners. Two cases have been registered against them. For the purpose of production of a copy of previous FIRs, the matter was ordered to be listed today. No one sustained injury in this matter.

5. Reading of the FIR shows that because of the above said political issue only repeated complaints have been lodged against the petitioners and none injured in this matter and there is no damage.

6. Considering the facts and circumstances of the case and also considering the fact that because of political issue only repeated complaints have been lodged against the petitioners and no one sustained injury, 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, Oddanchathiram, 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/-

21/07/2022

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/07/2022

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



dss

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
ODDANCHATHIRAM.
- 2 DO-THROUGH :
THE CHIEF JUDICIAL MAGISTRATE,
DINDUGAL DISTRICT.
- 3 THE INSPECTOR OF POLICE
AMBILIKKAI POLICE STATION,
DINDIGUL DISTRICT
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.D.VENKATESH, Advocate (SR-7510[I] dated 22/07/2022)

ORDER

IN

CRL OP(MD) No.11881 of 2022

Date :21/07/2022

PKP/SVR/SAR-4/29.07.2022/3P/6C