



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

Date : 04/07/2022

PRESENT

The Hon`ble Mr.Justice G.ILANGOVAN

CRL OP(MD). No.11916 of 2022

1.Kaliraj
2.Ashokkumar

... Petitioner/Accused A1 & A3

Vs

The State rep.by,
The Inspector of Police,
Veerapandi Police Station,Theni District.
Crime No.227 of 2022.

... Respondent/Complainant

For Petitioners : Mr.R.Sundar, 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.227 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 147, 148, 294(b), 323, 324 and 506(ii), in Crime No.227 of 2020, on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that on 26.06.2022 at about 9 p.m., there was a group clash between two groups for the celebration of temple festival, in which, the accused persons abused the defacto complainant in filthy language and also attacked him and caused injurious to him. At the intervention of villagers, further assault was stopped. Hence, the complaint.

3.The learned counsel for the petitioners submits that the petitioners are innocent and they have not committed any offence as alleged by the prosecution. He would further submit that in respect of the very same occurrence, FIR in Crime No.227 of 2022 has been registered against the defacto complainant and others.

4. The learned Government Advocate(Crl.Side) appearing for the respondent submits that no previous case is pending against the petitioners and also submitted that the injured has been discharged from the hospital.



5. On perusal of counter case FIR, it shows that the group clash between two groups for conducting the celebration of the temple festival.

6. Considering the facts and the circumstances of this case and also of the fact that it is a case in counter and the injured person has been discharged from the hospital, this Court is inclined to grant bail to the petitioners, however, with stringent conditions.

7. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or their appearance, before the learned Judicial Magistrate No.I, Theni District, and on his 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 petitioner shall comply with the conditions stipulated under Section 438 Cr.P.C. scrupulously.

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/-

04/07/2022

/ TRUE COPY /

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Sub-Assistant Registrar (C.S.)
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, THENI DISTRICT.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE
THENI DISTRICT.
- 3 THE INSPECTOR OF POLICE
VEERAPANDI POLICE STATION, THENI DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- +1. CC to MR.R.SUNDAR Advocate SR.No.6583.

ORDER

IN

CRL OP(MD) No.11916 of 2022

Date : 04/07/2022

TTA

<https://www.mh.jud.go.in/> 12.07.2022/2P/6C