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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 06/07/2022

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD) . No.12094 of 2022

1. M.Mariyasingam
2. M.Selvi
3. M.Rathidevi
4. M.Rathish

... Petitioners/Accused No.1 to 4

Vs

State rep.by
The Sub Inspector of Police,
Gangaikondan Police Station,
Gangaikondan,
Tirunelveli District.
(Crime.No.126 of 2022).

... Respondent/Complainant

For Petitioners : M/s.Pragalathan.N, 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. 126 of 2022 on the file of the Respondent police.

ORDER : The Court made the following order :-

The petitioners/Accused No.1 to 4, apprehending arrest at the hands of the respondent police for the alleged offences punishable under Sections 294(b), 323 and 506(i) of IC, in Crime No.126 of 2022 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that the defacto complainant is the brother of the first petitioner. Due to the civil dispute, trouble arose between the parties. On 26.06.2022, at about 05.00 p.m, the petitioners said to have abused and criminally intimidated the defacto complainant and also attacked him with using leg. Hence, the complaint.



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 it is a case and case in counter. The injured was discharged from the hospital and no previous case is pending against the petitioners. Hence, he prays for grant of anticipatory bail for the petitioners.

4. The learned Government Advocate (Crl. Side) for the respondent police submitted that there was quarrel between two brothers. In which, both sides, exchanged blows against each other and criminally intimidated each other. Over which, case and counter case have been registered against both the parties. In both cases, injured have been discharged from the hospital and no bad antecedents reported against the petitioners.

5. Considering the facts and circumstances of the case and also considering the fact that it is a dispute between two brothers, the injured persons were discharged from the hospital and no bad antecedents reported against the petitioners, this Court is inclined to grant anticipatory bail to the petitioners.

6. 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 Court No.3, Tirunelveli, Tirunelveli 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.

7. 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/-
06/07/2022

/ 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.

WEB COPY

TO

1. THE JUDICIAL MAGISTRATE NO.3,
TIRUNELVELI, TIRUNELVELI DISTRICT.
 2. -DO-THROUGH
THE CHIEF JUDICIAL MAGISTRATE,
THIRUNELVELI DISTRICT.
 3. THE SUB INSPECTOR OF POLICE,
GANGAIKONDAN POLICE STATION,
GANGAIKONDAN, TIRUNELVELI DISTRICT.
 4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- +1. CC to M/S. PRAGALATHAN.N Advocate SR.No.6716

ORDER
IN
CRL OP(MD) No.12094 of 2022
Date :06/07/2022

SP/SVR/SAR I/12/07/2022/3P/6C