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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Dated: 07/07/2022

PRESENT

The Hon'ble Mr.Justice **G.ILANGOVAN**

Crl.OP (MD) Nos.12220 and 12261 of 2022

Veerakumar

... Petitioner/Accused No.1
(in Crl.OP.(MD) No.12220/2022)

1.Suruliraja
2.Karpagaraja

... Petitioners/Accused No.2 & 5
(in Crl.OP.(MD) No.12261/2022)

Vs.

The State Rep by.
The Inspector of Police,
Veerapandi Police Station,
Theni District.
(Crime No.226 of 2022)

... Respondent/Complainant
(in both Petitions)

For Petitioners : Mr.K.Srinivasaragavan, Advocate
(in both Petitions)

For Respondent : Mr.B.Thanga Aravindh
Government Advocate (Criminal Side)
(in both Petitions)

PETITIONS FOR ANTICIPATORY BAIL under Sec.438 of Cr.P.C

PRAYER:-

For Anticipatory Bail in Crime No.226 of 2022 on the file of the Respondent Police.

COMMON ORDER : The Court made the following order:-

The petitioners, who is arrayed as A1, A2 and A5 apprehending arrest at the hands of the respondent police for the offences punishable under sections 147, 148, 294(b), 323, 324, 307, 427, 448, 506(11) IPC and section 4 of TNPHW Act, in Crime No.226 of 2022 on the file of the respondent police, seeks anticipatory bail.



2. The case of the prosecution in brief:-

Due to previous enmity, on 25/06/2022 the petitioners along with other accused persons trespassed into the de-facto complainant brother's house and they took two plastic chairs. When the de-facto complainant questioned the same, they attacked him with aruval and caused severe injuries.

3. The learned counsel appearing for the petitioners would submit that the petitioners are innocent persons and they have not committed any offence as alleged by the prosecution. He would further submit that it is a case and counter case, in respect of the very same occurrence, FIR in Crime No.227 of 2022 has been registered against the de-facto complainant and others.

4. The learned Government Advocate (Criminal side) would submit that no previous case is pending against the petitioners and the injured has been discharged from the hospital.

5. Considering the facts and circumstances of this case and also considering the fact that it is a case and counter and the injured person has been discharged from the hospital, this court is inclined **to grant anticipatory bail** to the petitioners with certain conditions. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance before the learned Judicial Magistrate No.1, Theni and on each of them executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties each for a like sum to the satisfaction of the learned Judicial Magistrate concerned and the petitioners shall appear before the respondent police daily at 10.00 am, until further orders. The petitioners shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously. 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 petitions for anticipatory bail stand dismissed.

Sd/-

07/07/2022

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/ /2022

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

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<https://www.mhc.tn.gov.in/judis>



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.1,
THENI.
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.

ORDER
IN
Crl.OP (MD) Nos.12220
and 12261 of 2022
Date :07/07/2022

SP/SVR/SAR I/12/07/2022/3P/5C