



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 08/07/2022
PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.12336 of 2022

1. Suryaprakash
2. Ramalingam

... Petitioners/Accused No.1 & 3

Vs

The State rep.by,
The Inspector of Police,
Gudalur North Police Station,
Gudalur, Theni District.
(Crime No.102 of 2022)

... Respondent/Complainant

For Petitioners: MR.K.Anandraj, 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.102 of 2022 on the file of the respondent Police.

ORDER : The Court made the following order :-

The petitioners/Accused No.1&3, apprehending arrest at the hands of the respondent police for the alleged offence punishable under Sections 294(b), 342, 323, 324 and 506(ii) I.P.C, in Crime No.102 of 2022 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that the defacto complainant and the petitioners are neighbours. There were in inimical terms because of raising bull for Rekla race. Due to that, on 01.04.2022, at about 07.30 p.m, when the brother of the defacto complainant was near the temple, the accused persons came there and caused assault with wooden log. When that was questioned by the defacto complainant, again, all the accused persons joined together and abused him in filthy language and on the intervention, further assault was prevented. Based upon the above said occurrence, case has been registered.

3. The learned counsel for the petitioners submitted that the petitioners are innocent and they have been falsely implicated in this case.



4. The learned Government Advocate (Crl. Side) the respondent police submitted that Insofar as the first petitioner is concerned 3 previous cases are pending. Among which, 2 are accident case. 1 is 75 TNCP Act. Insofar as the second petitioner is concerned, no previous case is pending.

5. Considering the facts and circumstances of the case and also considering the fact that the injured was discharged from the hospital, 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, Uthamapalayam, 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/-

08/07/2022

/ TRUE COPY /

/07/2022

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, UTHAMAPALAYAM.

2 DO-THROUGH :

THE CHIEF JUDICIAL MAGISTRATE, THENI DISTRICT.

3 THE INSPECTOR OF POLICE

GUDALUR NORTH POLICE STATION, GUDALUR, THENI DISTRICT

4 THE ADDITIONAL PUBLIC PROSECUTOR,

MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to MR.K.ANANDRAJ, Advocate SR.No.6811

ORDER IN

CRL OP(MD) No.12336 of 2022

Date :08/07/2022