



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.12345 of 2022

V.Mugesh

... Petitioner/Accused No.1

Vs

The State rep.by,
The Inspector of Police,
Courtallam Police Station, Tenkasi District.
Crime No.253/2022.

... Respondent/Complainant

For Petitioner : MR.K.Kevin Karan,
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.253/2022 on the file of the respondent Police.

ORDER : The Court made the following order :-

The petitioner/Accused No.1, apprehending arrest at the hands of the respondent police for the alleged offence punishable under Sections 294(b), 323, 324 and 506(ii) I.P.C, in Crime No.253 of 2022 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that 28.06.2022, at about 10.00 a.m, when the defacto complainant was in her house along with her son and daughter-in-law, the accused persons came to there, abused them in filthy language and assaulted the son with a knife. When the defacto complainant intervened, he caused assault on the various parts of the body. She sustained injury and her son also. Hence, the complaint.

3. The learned counsel for the petitioner submitted that the petitioner is innocent and he has been falsely implicated in this case. He further submitted that it is a case and case in counter and the injured was discharged from the hospital and no previous case is pending against the petitioner. Hence, he prays for anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl. Side) for the respondent police submitted that it is a case and case in counter.



In respect of very same occurrence, case in Crime NO.254 of as been registered against the defaccto complainant. The injured was discharged from the hospital and no previous case is pending against the petitioner.

5. Reading of the counter FIR shows that because of the business enmity between two groups trouble has arisen on that particular day. In which, both of them, engaged in fighting with each other and causing blows, admitted in the hospital, later, discharged.

6. Considering the facts and circumstances of the case and also considering the fact that it is a case and case in counter, the injured was discharged from the hospital and no bad antecedents is reported against the petitioner, this Court is inclined to grant anticipatory bail to the petitioner.

7. Accordingly, this Criminal Original Petition is allowed and petitioner is ordered to be released on bail in the event of arrest or on his appearance, before the learned Judicial Magistrate Court, Senkottai, Tenkasi District, on condition that the petitioner shall execute 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 Magistrate concerned and the petitioner shall appear before the respondent police daily at 10.30 a.m. until further orders. The petitioner shall comply with the condition stipulated under Section 438 Cr.P.C. Scrupulously.

8. The petitioner 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

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/07/2022

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

TO

1 THE JUDICIAL MAGISTRATE
SENKOTTAI TENKASI DISTRICT.

2 DO-THROUGH :

THE CHIEF JUDICIAL MAGISTRATE, TIRUNELVELI DISTRICT.

3 THE INSPECTOR OF POLICE
COURTALLAM POLICE STATION, TENKASI DISTRICT.

4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to MR.K.KEVIN KARAN, Advocate SR.No.6799.

ORDER IN

CRL OP(MD) No.12345 of 2022

Date :08/07/2022

DSS

<https://www.mh.judiciary.gov.in/> II/13.07.2022/2P/6C