



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

Date : 12/07/2022

PRESENT

WEB COPY

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.12509 of 2022

1. Asraf
 2. Nagoorkani
 3. Niyash
 4. Jaffar Sathick
 5. Azar
- ... Petitioners/Accused 1 to 5

Vs

The State rep.by
The Inspector of Police,
Sivakasi Town Police Station,
Virudhunagar District.
Crime No.233 of 2022.

... Respondent/Complainant

For Petitioners: M/s.JOTHI BASU.M, Advocate.

For Respondent : Mr.P.KOTTAI CHAMY,
Government Advocate (Crl.Side)

PETITION FOR ANTICIPATORY BAIL Under Sec.438 of Cr.P.C

PRAYER :- For Anticipatory Bail in Crime No.233 of 2022 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioners/Accused No.1 to 5, apprehending arrest at the hands of the respondent police for the alleged offence punishable under Sections 147, 294(b), 323, 324 and 506(ii) I.P.C, in Crime No.233 of 2022 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that the defacto complainant's son went to the house of the accused. That was warned by the defacto complainant. Over which, enmity started and the injury was taken to the briyani shop on 01.07.2022, at about 09.30



p.m. There, he was assaulted with wooden log and cause injury on his head. On the basis of the complainant given by the defacto complainant, present case has been registered against the accused persons.

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 injured was discharged from the hospital and no previous case is pending against the petitioners.

4. The learned Government Advocate (Crl. Side) for the respondent police submitted that it is a street fight between the defacto complainant and the accused persons. Over simple issue, they started enmity. No previous case is pending against the petitioners and injured was discharged from the hospital.

5. Considering the facts and circumstances of the case and also considering the fact that the injured was 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 No.I, Sivakasi, 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/-
12/07/2022

/ TRUE COPY /

/07/2022

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

dss

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



TO

- 1 THE JUDICIAL MAGISTRATE NO.I, SIVAKASI.
- 2 DO-THROUGH :THE CHIEF JUDICIAL MAGISTRATE,
VIRUTHUNAGAR DISTRICT AT SRIVILLIPUTHUR.
- 3 THE INSPECTOR OF POLICE,
SIVAKASI TOWN POLICE STATION,
VIRUDHUNAGAR DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

+1. CC to M/S.G.M.LAW OFFICE, SR.No.6996

ORDER
IN
CRL OP(MD) No.12509 of 2022
Date :12/07/2022

PKP/PN/SAR-3/21.07.2022/3P/6C