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CRL OP(MD). N



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

Date : 11/08/2022

PRESENT

The Hon`ble Mr.Justice G.ILANGOVAN

CRL OP(MD). No.12904 of 2022

1. Bharathithasan

2. Subramanian

... Petitioners/A-1 & A-2

Vs

The State rep.by,
The Inspector of Police,
Town Police Station,
Karur.

Crime No.482 of 2022.

... Respondent

For Petitioners : Mr.S.Manoharan, Advocate.

For Respondent : Mr.B.Thanga Aravindh,
Government Advocate (Crl.Side)

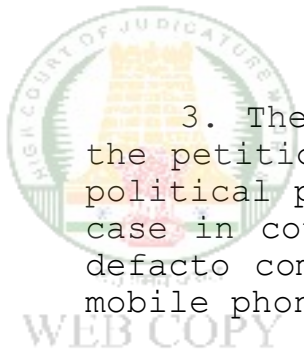
PETITION FOR ANTICIPATORY BAIL Under Sec.438 of Cr.P.C

PRAYER :-For Anticipatory Bail in Crime No.482 of 2022 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioners/Accused, apprehending arrest at the hands of the respondent police for the alleged offence punishable under Sections 294(b), 323, 506(i), 379 I.P.C, in Crime No.482 of 2022 on the file of the respondent police, seek anticipatory bail.

2. On 06.07.2022 at about 10AM, the defacto complainant lodged a complainant stating that the accused persons encroached the land, which was assigned to poor people. When the same was questioned by the defacto complainant and his party, trouble arose between them, over which, the accused persons claimed that they belonged to a political party and abused, assaulted them and also took Rs.10,000/-. Hence, the complaint.



3. The learned counsel for the petitioners submitted that the petitioners and the defacto complainant belongs to a different political party. Based on the complaint given by the petitioners, a case in counter in Crime No.481 of 2022 was registered against the defacto complainant and others stating that they also took away two mobile phones from them.

4. The learned Government Advocate (Crl.Side) submitted that due to political motive between the parties, this case and counter case in Crime No.481 of 2022 had been registered against the parties. In the counter case, cell phones had been recovered from the defacto complainant party, whereas, Rs.10,000/- which was taken away from the defacto complainant by the accused persons had not been recovered so far.

5. Considering the political dispute between the parties and it is a case in counter and that the petitioners are not having any bad antecedents, this Court is inclined to grant anticipatory bail to the petitioners.

6. Accordingly, this Criminal Original Petition is allowed on condition that the petitioners shall deposit a sum of Rs.10,000/- (Rupees Ten Thousand only) to the credit of Cr.No.482 of 2022 before the trial Court concerned, without prejudice to their rights and contentions before the trial Court.

7. On such deposit being made, 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, Karur, on condition that the first and second 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.

8. 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/-

11/08/2022

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/08/2022

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



TO

1 THE JUDICIAL MAGISTRATE NO.I,
KARUR.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE
KARUR DISTRICT.

3 THE INSPECTOR OF POLICE
TOWN POLICE STATION, KARUR.

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

+1 CC to M/s.S.MANOCHARAN, Advocate (SR-8432[I] dated 11/08/2022)

ORDER

IN

CRL OP(MD) No.12904 of 2022

Date :11/08/2022

PNM

MK/PN/SAR.IV/24.08.2022/2P/6C