



WEB COPY



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 19/07/2022

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD) . No.13001 of 2022

1. Senthil Kumar
2. Arun Kumar
3. Aravinthan @ Aravintharaj
4. Sutha @ Sudha

... Petitioners/Accused
Rank No.2 to 5

Vs

State rep.by
The Inspector of Police,
Rameswaram Town Police Station,
Ramanathapuram District.
(Crime No.204 of 2022).

... Respondent/Complainant

For Petitioners : M/s.Arun B, Advocate.

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

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

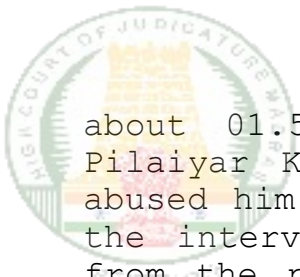
PRAYER :-

For Anticipatory Bail in Crime No.204 of 2022 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioners/Accused No.2 to 5, apprehending arrest at the hands of the respondent police for the alleged offences punishable under Sections 341, 147, 148, 294(b), 324 and 506(ii) I.P.C, in Crime No.204 of 2022 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that due to the election dispute between two groups of people on 11.07.2022, during the night hours, there was the procession due to the Guru Pooja of Azhagumuthugone. At that time, the defacto complainant asked the above said persons to go on one side. At the intervention of the elders, further escalation of issue was averted. On 12.07.2022, at



about 01.50 p.m, when they were coming near Arupuli as near to Pilaiyar Kovil, the accused persons came there and said to have abused him in filthy language and attacked him with wooden log. At the intervention of the neighbours, the accused person fled away from the place of occurrence. Based upon the complaint given the defacto complainant, present case has been registered against the petitioners.

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 the injured sustained only simple injury and he was discharged from the hospital. Hence, he seeks anticipatory bail to the petitioners.

4. The learned Government Advocate (Crl. Side) for the respondent police submitted that because of the above said election issue, there was motive between two groups of people. Over which, said occurrence took place. He further submitted that the injured was discharged from the hospital and the first petitioner and the fourth petitioner are having previous cases pertaining to the above said election issue.

5. Considering the facts and circumstances of the case and also considering the fact that it is a dispute between two groups with regard to election motive, the injured was discharged from the hospital and no bad antecedents reported against the petitioners in similar nature, 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, Rameswaram, 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/-
19/07/2022

/ TRUE COPY /

/ /2022

Sub-Assistant Registrar (C.S.I)
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.

WEB COPY

To

1. THE JUDICIAL MAGISTRATE,
RAMESWARAM.
 2. -DO-THROUGH
THE CHIEF JUDICIAL MAGISTRATE,
RAMANATHAPURAM DISTRICT.
 3. THE INSPECTOR OF POLICE,
RAMESWARAM TOWN POLICE STATION,
RAMANATHAPURAM DISTRICT.
 4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- +1. CC to M/S.ARUN B Advocate SR.No.7313

ORDER
IN
CRL OP(MD) No.13001 of 2022
Date :19/07/2022

SP/SVR/SAR I/22/07/2022/3P/6C