



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

Date : 29/08/2022

PRESENT

The Hon`ble Mr.Justice **G.ILANGOVAN**

WEB COPY

CRL OP(MD. Nos.13188 and 14757 of 2022

M.Yasar Arafat .. Petitioner/Accused No.(Rank Not Known)
in CRL OP(MD). No.13188 of 2022

J.Bairamkhan Jalal .. Petitioner/Accused No.(Rank Not Known)
in CRL OP(MD). No.14757 of 2022

Vs

The State rep.by,
The Inspector of Police,
Elayangudi Police Station,
Sivagangai District.
Crime No.177/2022.

... Respondent/Complainant
in both Crl.O.Ps.

For Petitioner : M/s.Sabeer Mohamed.I, Advocate.
in Crl.O.P(MD).No.13188 of 2022

For Petitioner : Mr.P.Velmurugan, Advocate.
in Crl.O.P(MD).No.14757 of 2022

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

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

PRAYER :-For Anticipatory Bail in Crime No.177/2022 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 147, 148, 307, 324, 332 and 427 IPC @ Sections 147, 148,
294(b), 307, 324, 332 IPC and Section 3(1) of TNPPDL Act, in Crime
No.177 of 2022 on the file of the respondent police, seek
anticipatory bail.

2. The case of the prosecution is that both the parties are
relatives and the defacto complainant joined in one of the political
parties over which some sort of objections were made by the
petitioners along with co-accused by joining another political
party and caused damage to the vehicle belongs to the defacto
complainant. Hence, complaint.



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

4. The learned Government Advocate (Crl. Side) for the respondent police submitted that there is a political dispute between the parties and the damage caused to the vehicle is worth about Rs.57,000/- and the investigation of the case is pending.

5. Considering the nature of offence, the overt act attributed against the petitioners, the injured person has been discharged from the hospital and the injury is simple in 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, Elayangudi, 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 each of the petitioners shall deposit a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) to the credit of Crime No.177 of 2022 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.

8. The petitioners must file an undertaking affidavit stating that they will not indulge this kind of offence in future before the concerned Magistrate Court and send another copy to the concerned Police Station.

9.If any violation is noticed after filing undertaking affidavit, the respondent is at liberty to take the petitioner into custody.

sd/-
29/08/2022

/ TRUE COPY /

07/09/2022
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.



TO

1 THE JUDICIAL MAGISTRATE,
ELAYANGUDI.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE
SIVAGANGAI DISTRICT.

3 THE INSPECTOR OF POLICE
ELAYANGUDI POLICE STATION, SIVAGANGAI DISTRICT.

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

+1 CC to M/s.I.SABEER MAHAMED, Advocate (SR-9236[I] dated
29/08/2022)

+1. C.C. to Mr.P.VELMURUGAN, Advocate SR.No.9235.

ORDER
IN
CRL OP(MD. Nos.13188 and
14757 of 2022
Date :29/08/2022

TRP
MK/VR/SAR.IV/07.09.2022/3P/7C