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

Date : 26/07/2022

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD) . No.13446 of 2022

Pradeep @ Periasamy

... Petitioner/Accused No.8

Vs

State rep.by
The Inspector of Police,
Vaiyampatti Police Station,
Trichy District.
(Crime No.213 of 2022).

... Respondent/Complainant

For Petitioner : M/s. Ezhilarasu.C, 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.213 of 2022 on the file of the respondent Police.

ORDER : The Court made the following order :-

The petitioner/Accused, apprehending arrest at the hands of the respondent police for the alleged offence punishable under Sections 147, 148, 294(b), 341, 324, 336, 427, 506(i) and 307 I.P.C, in Crime No.213 of 2022, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that in respect of the temple festival celebration, there was enmity between two groups of people. In pursuance of the above said enmity, on 17.06.2022, at about 06.00PM, the defacto complainant party were waylaid by the accused persons and caused severe attack and also caused damages to the vehicles. When that was videographed by the other witness, he was also assaulted. 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. The co-accused A1, A2 and A4 were arrested and released on bail.

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4. While granting bail to the co-accused in CrI.O.P(MD) No.04.07.2022, this Court has made an observation that due to communal clash between two groups of people, case and counter cases had been registered. Who is the aggressor for the crime, is a matter for investigation. However, this Court imposed condition to the petitioners in the above said petition, to deposit a sum of Rs.20,000/- to the credit of the Crime Number.

5. The learned Government Advocate (CrI. Side) for the respondent police submitted that based on the above said condition, this petition may be allowed, since the petitioner is not having any bad antecedents on his credit.

6. Considering the above facts and the co-accused have been released on bail, this Court is inclined to grant anticipatory bail to the petitioner with the following conditions.

7. Accordingly, this Criminal Original Petition is allowed on condition that the petitioner shall deposit a sum of Rs.20,000/- (Rupees Twenty Thousand only) to the credit of Crime No.213 of 2022, before the trial Court concerned, without prejudice to his right and contention before the trial Court.

8. On such deposit being made, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, before the learned Judicial Magistrate, Manapparai 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.

9. 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/-
26/07/2022

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/08/2022

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



TO

1. THE JUDICIAL MAGISTRATE,
MANAPPARAI.
2. -DO- THROUGH
THE CHIEF JUDICIAL MAGISTRATE,
TRICHY DISTRICT.
3. THE INSPECTOR OF POLICE,
VAIYAMPATTI POLICE STATION,
TRICHY DISTRICT.
4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

+1. CC to M/S. EZHILARASU.C Advocate SR.No.7683

ORDER
IN
CRL OP (MD) No.13446 of 2022
Date :26/07/2022

SP/JM/SAR II/02/08/2022/3P/6C