



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 25/08/2022

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). Nos.14112 and 14542 of 2022

1.Rajkumar

2.Karthick @ Karthick Kumar

... Petitioners/Accused Nos.2 & 3
CRL OP(MD). No.14112 of 2022

Rajaguru

... Petitioner/Accused No.1
CRL OP(MD). No.14542 of 2022

Vs

The State rep.by
The Inspector of Police,
Saptur Police Station,
Madurai District.
Crime No.87 of 2022.

... Respondent/Complainant
in Both Petitions

For Petitioners in

Crl.O.P(MD).No.14112 of 2022 : M/s.VADIVELAN.T., Advocate

For Petitioner in

Crl.O.P(MD).No.14542 of 2022 : Mr.K.ARUNRAJ, Advocate

For Respondent
in both Crl.O.Ps

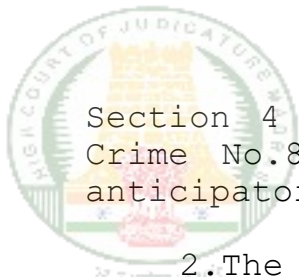
: Mr.P.KOTTAI CHAMY,
Government Advocate(Crl.Side)

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

COMMON PRAYER :- For Anticipatory Bail in Crime No.87 of 2022 on the file of the Respondent Police.

COMMON 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, 441, 294(b), 427, 342, 323, 379 and 506(ii) IPC and



Section 4 of TN Prohibition of Harassment of Women Act, in Crime No.87 of 2022 on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that the defacto complainant lodged a complaint stating that on 01.06.2022 when he went to his sisters marriage, at that time, the accused persons came and picked up quarrel, caused assault, also caused damages to the Two Wheeler and also took away the Android mobile phones. Hence, the complaint.

3. The learned counsel for the petitioners submitted that 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 are four previous cases against A1 and many of the offences under Section 379, 307 IPC and also concluded. He would further submit that A2 is having bad antecedents and also involved in similar nature of offence in Crime No.4 of 2020.

5.Considering the nature of offence, the overt act attributed against A3, this Court is inclined to grant anticipatory bail to the 2nd petitioner / A3 in Crl.O.P(MD).No.14112 of 2022 with the following conditions:

6.Accordingly, the Criminal Original Petition in Crl.O.P(MD). No.14112 of 2022 is partly allowed and the 2nd petitioner / A3 in Crl.O.P(MD).No.14112 of 2022 is ordered to be released on bail in the event of arrest or on his appearance, before the learned Judicial Magistrate, Peraiyur, on condition that the 2nd petitioner / A3 in Crl.O.P(MD).No.14112 of 2022 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 2nd petitioner / A3 in Crl.O.P(MD).No.14112 of 2022 shall appear before the respondent police daily at 10.30 a.m. until further orders. The 2nd petitioner / A3 in Crl.O.P(MD).No.14112 of 2022 shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously.

7.The 2nd petitioner / A3 in Crl.O.P(MD).No.14112 of 2022 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.Even though the dispute between the relatives, considering the previous bad antecedents of the petitioner in Crl.O.P(MD). No.14542 of 2022 and the 1st petitioner / A2 in Crl.O.P(MD).No.14112 of 2022 and also committed similar nature of offence, they are not entitled to discretionary relief of anticipatory bail. Accordingly,



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S/o. Rajapa



10.

the CrI.O.P(MD).No.14542 of 2022 is dismissed and the CrI No.14112 of 2022 is dismissed against the 1st petitioner / A2.

sd/-
25/08/2022

/ TRUE COPY /

/09/2022

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

TO

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

ORDER

IN

CRL OP(MD). Nos.14112 and
14542 of 2022
Date :25/08/2022

TRP
SA/VRS/SAR.1/13.09.2022/3P/5C