



WEB COPY

CRL OP(MD). N



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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 18/08/2022

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.14298 of 2022

1. Prabakaran

2. Murugaiyan

... Petitioners/Accused 1 & 2

Vs

The State rep.by,
The Inspector of Police,
Orathanadu Police Station,
Thanjavur.
(Crime No.827/2022).

... Respondent

For Petitioners : Mr.Pragadeesh Kumar.K,
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.827/2022 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioners are facing charges under Sections 294(b), 324, 352 and 506(2) IPC in Crime No.827 of 2022 on the file of the respondent police.

2.The case of the prosecution, as per the complaint lodged by the defacto complainant, is that on 15.07.2022, the accused persons along with some unknown persons came to his house and made trouble. When he made enquiry with regard to the presence of the unknown persons, he was abused in filthy language and was also assaulted.

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Later, at about 10.20 am., again the 1st accused came along with the 2nd accused in a two wheeler and caused assault with iron rod and his brother-in-law was also assaulted. At the intervention of the neighbours, the problem was averted.

3. Based upon the aforesaid occurrence, the present case has been registered. Similarly, a counter case was also registered in Crime No.828 of 2022, on the basis of the complaint given by the 2nd accused, namely Murugaiyan.

4. Reading of the counter complaint shows that trouble has arisen between the parties, over the aforesaid simple issue for some money transaction for purchasing the articles for putting up the well. It appears that both of them injured in the aforesaid occurrence and the injured in both the cases have been discharged from the hospital.

5. Considering the fact that the injured in both the cases have been discharged from the hospital and no previous bad antecedents is reported against the petitioners, 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, Orathanadu, Thanjavur, 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 am., 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 shall stand dismissed.

sd/-
18/08/2022

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/09/2022

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

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TO

1. THE JUDICIAL MAGISTRATE, ORATHANADU, THANJAVUR.

<https://www.mhc.tn.gov.in/judis>



2.DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
THANJAVUR @ KUMBAKONAM.

3.THE INSPECTOR OF POLICE,
ORATHANADU POLICE STATION,
THANJAVUR.

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

ORDER

IN

CRL OP (MD) No.14298 of 2022

Date :18/08/2022

PKP/PN/SAR-I/05.09.2022/3P/5C