



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 30/08/2022

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN
CRL OP(MD) . No.14418 of 2022

WEB COPY

1. P.Murugesan ... Petitioner/Accused No.1
2. V.Kishore
3. V.Gokulnath ... Petitioners/Rank Not Known

Vs

The State rep.by
The Inspector of Police,
Keelakarai Police Station,
Ramanathapuram District.
(In Crime No.135 of 2022). ... Respondent/Complainant

For Petitioners : Mr.PRABHU RAJ.A., 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.135 of 2022 on the file the Respondent Police.

ORDER : The Court made the following order :-

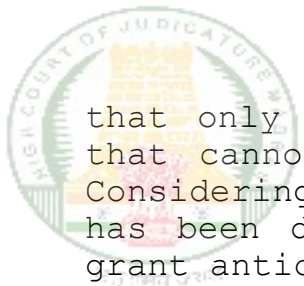
The petitioners are facing charges under Sections 294(b), 324 and 506(2) IPC in Crime No.135 of 2022 on the file of the respondent police.

2.The case of the prosecution, as per the allegation that has been made by the defacto complainant, is that he is the auto driver by profession and on 30.07.2022 at about 03.30 pm., when he was in the auto, the accused persons, who are the relatives of one Kala came there and questioned him as to how he made messages during night hours. By saying so, the accused, namely Murugesan caused assault with knife and other two accused persons caused assault with hands. At the intervention of the neighbours, all the accused persons fled away from that place. Over the aforesaid occurrence, now the case has been registered.

3.The learned Government Advocate (Crl.side) for the respondent would submit that because of some issue, which could not be disclosed, now the occurrence said to have taken place and the injured has been discharged from the hospital. He would further submit that the petitioners are having previous bad antecedents.

4.Even though the learned Government Advocate (Crl.side) would submit that the petitioners are having previous cases, it appears

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that only a petty offence under Section 160 IPC is involved, that cannot be taken into account for considering this petition. Considering the facts and circumstances of the case that the injured has been discharged from the hospital, this Court is inclined to grant anticipatory bail to the petitioners herein also.

WEB COPY

5. 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 No.I, Ramanathapuram, 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.

6. 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/-

30/08/2022

/ TRUE COPY /

08/09/2022

Sub-Assistant Registrar (C.S.)
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.

TO

- 1 THE JUDICIAL MAGISTRATE NO.I, RAMANATHAPURAM DISTRICT.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, RAMANATHAPURAM DISTRICT.
- 3 THE INSPECTOR OF POLICE,
KEELAKARAI POLICE STATION, RAMANATHAPURAM DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.PRABHU RAJ.A Advocate SR.No.9367**ORDER IN**

CRL OP(MD) No.14418 of 2022

Date :30/08/2022

MM

SA/SVR/SAR.2/08.09.2022/2P/C

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