



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

Date : 25/08/2022

PRESENT

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The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD) . No.14978 of 2022

1. Esakkimuthu
2. Mahesh
3. Sivasubbu
4. Muthuselvam
5. Vishnu @ Muthu Vishnu ... Petitioners/Accused No.1 to 5

Vs

The State Rep. By,
The Inspector of Police,
Kulasekarapattinam Police Station,
Thoothukudi District.
(Crime No.184/2022).

... Respondent/Complainant

For Petitioners : M/s.Muthupandi P,
Advocate

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

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

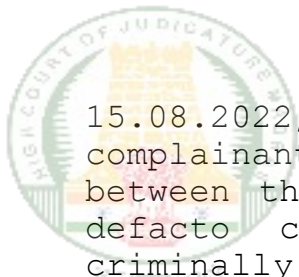
PRAYER :-

For Anticipatory Bail in Crime No.184/2022 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, 294(b), 352, 506(ii) I.P.C, in Crime No.184 of 2022 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that on 12.08.2022 at about 07.30hours, while the defacto complainant was taking his sister to school, the accused persons followed them in another two wheeler and about to hit them, that was questioned by them. Again on



15.08.2022, the accused persons did the same act, while the complainant went along with his sister, over which, trouble arose between them. At about 7.45PM, the accused persons assaulted the defacto complainant with filthy language, assaulted him and criminally intimidated him. Hence, the complaint.

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3. The learned counsel for the petitioners submitted that it is a case in counter, based upon the complaint given by the petitioners, a counter case was registered in Crime No.185 of 2022 against the defacto complainant party and that no one is injured in the incident. Hence, prays to release them on anticipatory bail.

4. The learned Government Advocate (Crl.Side) appearing for the respondent would submit that based upon the complaint given by the petitioners, case in counter was registered in Cr.No.185 of 2022 against the defacto complainant party and in this case no one injured in the occurrence.

5. Reading of counter case shows that the defacto complainant party caused damages to the two wheeler of the petitioners.

6. Considering the petty dispute between the parties, that in this case no one injured, that the petitioners are not having any previous case at their credit and it is a case in counter, this Court is inclined to grant anticipatory bail to the petitioners.

7. 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, Thiruchendur, 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 a.m. until further orders. The petitioners shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously.

8. 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.

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,
TIRUCHENDUR.
2. DO-THROUGH : THE CHIEF JUDICIAL MAGISTRATE,
THOOTHUKUDI DISTRICT.
3. THE INSPECTOR OF POLICE,
KULASEKARAPATTINAM POLICE STATOIN,
THOOTHUKUDI DISTRICT.
4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
CRL OP (MD) No.14978 of 2022
Date :25/08/2022

pnm
USK/VR/SAR-II/06.09.2022/3P/5C