



WEB COPY

CRL OP(MD). N



22

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). No.15218 of 2022

1. Arivarasan,
2. Aravind @ Mohanram,
3. Saravanakumar, ... Petitioners/Accused Ranks Not Known

Vs

The State rep.by,
The Inspector of Police,
Keelasevalpatti Police Station,
Sivagangai District.
Crime No.39 of 2022.

... Respondent/Complainant

For Petitioner : M/s.Gayathiri N,
Advocate.

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

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

PRAYER :-For Anticipatory Bail in Crime No.39 of 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 offences punishable under Sections 294(b), 336, 506(i) of I.P.C, in Crime No.39 of 2022 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution as per the defacto complainant is that on 03.08.2022, at about 06.00 p.m, when he was returning near the place of occurrence after purchasing garland, the unknown persons waylaid him and also demanded match box. When that was refused, they abused him in filthy language and also attacked with stones. Based upon the above said occurrence, present case was registered against the unidentified persons.

3. The learned counsel for the petitioners submitted that the petitioners are innocent and they have been falsely implicated in



4.The learned Government Advocate (Crl.Side)would submit that there is no motive between the parties and no bad antecedent is reported against the petitioners.

5.The Investigating Officer is present before this Court and submitted that except the above said demand of match box, there was no previous enmity between them. The defacto complainant and the petitioners belong to neighbour village.

6.Considering the facts and circumstances of the case and also considering the fact that there was no previous enmity between the parties, near the TASMAG shop above said occurrence took place and no previous antecedents is reported against the petitioner, 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 Court, Thirupathur, Sivagangai District, 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

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/09/2022

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

TO

1 THE JUDICIAL MAGISTRATE
COURT THIRUPATHUR, SIVAGANGAI DISTRICT.

2 DO-THROUGH :
THE CHIEF JUDICIAL MAGISTRATE, SIVAGANGAI DISTRICT.

3 THE INSPECTOR OF POLICE
KEELASEVALPATTI POLICE STATION, SIVAGANGAI DISTRICT.

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

+1. CC to M/S.GAYATHIRI N Advocate SR.No.9033.

ORDER IN

CRL OP(MD) No.15218 of 2022

Date :25/08/2022