



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

Date : 30/08/2022

PRESENT

WEB COPY

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.15661 of 2022

Vijayaraj

... Petitioner/Accused

Vs

The State Rep. By,
The Inspector of Police,
Nilakottai Police Station,
Dindigul District.
(In Crime No.100/2022).

... Respondent/Complainant

For Petitioner : Mr.Vignesh 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.100/2022 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner is facing charges under Sections 147, 148, 294 (b), 324 and 506(2) IPC and Section 3(1) of Tamil Nadu Public Property (Prevention of Damage and Loss) Act, 1992, in Crime No.100 of 2022 on the file of the respondent police.

2.The case of the prosecution is that the defacto complainant lodged a complaint stating that he visited the village during the temple festival season. There was previous enmity between him and the accused persons. On 16.04.2022 at about 01.00 pm., when he was standing near his house, the accused persons came there with deadly weapon and on searching of one Ajith Kumar picked up quarrel. However, they could not found him. So, over that failure, they caused assault to the defacto complainant and also caused damage to the Car, which was also brought by him. When that was sought to be intervened, they caused assault with stones, wooden log and steal rods. So, on the basis of the aforesaid occurrence, now the case has



been registered. The petitioner has now been arrayed as 8th during the course of investigation, even though his name was not found in the FIR.

3.The learned Government Advocate (Crl.side) for the respondent would submit that the injured has been discharged from the hospital after 10 days of the treatment. He would further submit that the damage is worth about Rs.10,000/- and the petitioner is also involved in a petty offence on the previous occasion.

4.Considering the fact that there was no previous enmity between the petitioner and the defacto complainant and also considering the fact that the injured has been discharged from the hospital, this Court is inclined to grant anticipatory bail to the petitioner.

5.Accordingly, this Criminal Original Petition is allowed and the petitioner is ordered to be released on bail in the event of arrest or on his appearance, before the Judicial Magistrate Court, Nilakottai, on condition that the petitioner 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 petitioner shall appear before the respondent police daily at 10.30 a.m. until further orders. The petitioner shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously. The petitioner shall deposit a sum of Rs.20,000/- to the credit of Crime No.100 of 2022 before the learned Judicial Magistrate, Nilakottai, towards cost of the damage to the vehicle.

6.The petitioner 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,
NILAKOTTAI.

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

3. THE INSPECTOR OF POLICE,
NILAKOTTAI POLICE STATION,
DINDIGUL DISTRICT.

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

+1 CC to M/s.A.VIGNESH, Advocate (SR-9580[I] dated 02/09/2022)

ORDER

IN

CRL OP(MD) No.15661 of 2022

Date :30/08/2022

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USK/VR/SAR-II/08.09.2022/3P/6C