



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 05/01/2022

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP (MD) . No.19368 of 2021

Palanimuthu

... Petitioner/Accused No.1

Vs

State rep.by
The Inspector of Police,
Gandharvakottai Police Station,
Pudhukottai District.
(Crime No.697 of 2021).

... Respondent/Complainant

For Petitioner : M/s.P.Vadivel, Advocate.

For Respondent : M/s.S.Manikandan,
Government Advocate (Crl.Side)

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

PRAYER :-

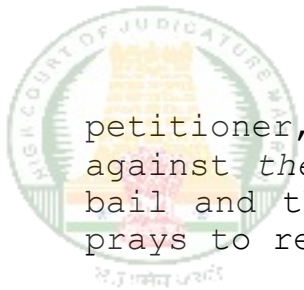
For Anticipatory Bail in Crime No.697 of 2021 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/Accused, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 294 (b), 324, 506(ii) IPC, in Crime No.697 of 2021, seeks anticipatory bail.

2.The case of the prosecution is that on 18.11.2021, at about 2.45hours, when the *defacto* complainant was standing near the petty shop, the accused persons came there, caught hold him and assaulted him with iron rods. At the intervention of neighbours, he was saved. Hence, the complaint.

3.The learned counsel for the petitioner would submit that it is a case and counter, based upon the complaint given by the



petitioner, the counter case was registered in Crime No.698 of 2021 against the *defacto* complainant, co-accused was already enlarged on bail and that the injured was discharged from the hospital. Hence, prays to release him on anticipatory bail.

4.The learned Government Advocate (Crl.Side) appearing for the respondent would submit that based upon the complaint given by the petitioner, case in counter was registered in Cr.No.698 of 2021 for the offences under Sections 341, 324 and 506(ii) IPC against the *defacto* complainant, that the petitioner is having three previous cases at his credit and that in both the cases injured were discharged from the hospital.

5.Reading of the FIR and counter case FIR shows that because of petty dispute between the parties on 18.11.2021 at about 02.45PM, trouble arose between them and due to that this case and case in counter were also registered and both the parties sustained injuries.

6.Even though, the petitioner is having previous cases, considering the facts and circumstances of this case, that it is a case and counter, that the injured in both the cases were discharged from the hospital, that the co-accused was already enlarged on bail by learned Principal District Judge, Pudukottai in Crl.MP.No.4889 of 2021 dated 03.12.2021, this Court is inclined to grant anticipatory bail to the petitioner.

7.Accordingly, the petitioner is ordered to be released on bail in the event of arrest or his appearance, before the learned Judicial Magistrate, Gandharvakottai and on their executing 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 am for a period of one month and thereafter, as and when required for interrogation. The petitioner shall comply with the conditions stipulated under Section 438 Cr.P.C. scrupulously.

8.The petitioner shall appear before the concerned Magistrate within a period of fifteen days from the date on which the order copy made ready, failing which, the petition for anticipatory bail stands dismissed.

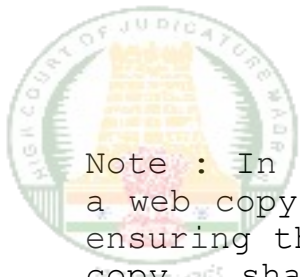
Sd/-

05/01/2022

/ TRUE COPY /

/ /2022

Sub-Assistant Registrar (C.S.II)
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,
GANDHARVAKOTTAI.
2. -DO- THROUGH
THE CHIEF JUDICIAL MAGISTRATE,
PUDUKKOTTAI DISTRICT.
3. THE INSPECTOR OF POLICE,
GANDHARVAKOTTAI POLICE STATION,
PUDHUKOTTAI DISTRICT.
4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER

IN

CRL OP (MD) No.19368 of 2021

Date :05/01/2022

SP/JC/SAR II/11/01/2022/3P/5C