



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 26/10/2022
PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.18272 of 2022

1. Murugesan
2. Murugananatham ... Petitioners/ Petitioners / Petitioners /
Accused Nos.1 & 2

Vs

The State rep.by,
The Sub Inspector of Police,
Nainarkoil Police Station,
Ramanathapuram District.

Cr.No.97/2022. ... Respondent/ Respondent / Respondent /
Complainant

For Petitioner : M/s.Ramalingam C.B.,
Advocate.

For Respondent : MR.SS.Madhavan,
Government Advocate (Crl.Side)

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

PRAYER :-For Anticipatory Bail in Crime No.97/2022 on the file of
the Respondent police.

ORDER : The Court made the following order :-

The petitioners/Accused No.1 and 2, apprehending arrest at the
hands of the respondent police for the alleged offence punishable
under Sections 294(b), 324 and 506(ii) IPC, in Crime No.97 of 2022,
on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that the defacto complainant
lodged a complaint stating that on 14.06.2022 at about 03.00 p.m.,
when the defacto complainant was transporting the articles for the
purpose of putting up the construction, he levelled the path. At
that time, the accused persons prevented him from doing the
aforesaid work, criminally intimidated him and also caused assault
with Aruval on various parts on the body. The wife of the defacto
complainant was also assaulted. At the intervention of the
neighbours, that was averted.

3. This is the third anticipatory bail petition filed by the
petitioners. The earlier applications filed by the petitioners were
dismissed on the ground that there was deep bone injury to the
defacto complainant. Considering the grievous injury sustained by
the defacto complainant and since the defacto complainant was in the



hospital as inpatient, the earlier two applications were considered by this Court.

4. Now it is submitted that the defacto complainant was discharged from the hospital and even though there was a deep bone injury, no alteration Report has been filed by the respondent police till now. It is also a case in counter case. Therefore, in view of the above this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

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, Paramakudi, 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.

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 stands dismissed.

sd/-

26/10/2022

/ TRUE COPY /

/11/2022

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, PARAMAKUDI.
 - 2 DO-THROUGH THE CHIEF JUDICIAL MAGISTRATE,
RAMANATHAPURAM DISTRICT.
 - 3 THE SUB INSPECTOR OF POLICE
NAINARKOIL POLICE STATION, RAMANATHAPURAM DISTRICT.
 - 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- +1 CC to M/s.C.B.RAMALINGAM, Advocate (SR-11879[I] dated 26/10/2022)
ORDER IN
CRL OP(MD) No.18272 of 2022
Date :26/10/2022

TM

<https://www.mhcb.org.in/> 31.10.2022/2P/6C