



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Dated: 03/02/2022

PRESENT

The Hon'ble Mr.Justice G.ILANGO VAN

Crl.OP(MD)No.20087 of 2021

Muthumani ... Petitioner/Accused No.24

Vs.

The State rep. By
The Inspector of Police,
Keelavalavu Police Station,
Madurai District.
(Crime No.163 of 2019)

... Respondent/Complainant

For Petitioner : Mr.R.Manoharan, 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.163 of 2019 on the file of the Respondent Police.

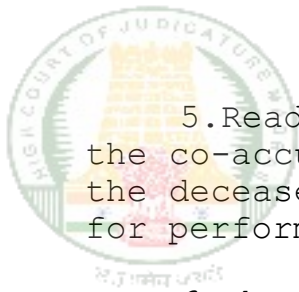
ORDER : The Court made the following order:-

The petitioner, who is arrayed as A24 apprehending arrest at the hands of the respondent police for the offences punishable under sections 147, 148, 341, 294(b), 324, 302, 326 IPC r/w 34 of IPC and Section 3(1) of TNPPDL Act, in Crime No.163 of 2019 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that due to previous motive with regard to conduct of the temple festival at Kodukkampatti Village, on 16.06.2019 the accused persons used to restrain the village people and abused them in filthy language and thereafter, the accused persons attacked the village people with weapon and due to it, some of the persons got injuries and one Rambu succumbed to injury.

3.Heard both sides.

4.The offence is of the year 2019. Now the committal proceeding are pending before the Judicial Magistrate, Melur, in PRC No.45 of 2020.



5. Reading of the FIR as well as the bail order in respect of the co-accused persons shows that some sort of trouble arose between the deceased and the village people with regard to collection of tax for performing temple festival.

6. The learned counsel appearing for the petitioner would submit that without any previous motive or pre-plan, sudden fight broke out between the villagers as well as the deceased and the deceased was assaulted to death by the villagers. So the entire village people have been roped in this case and some of the persons have been arrested and later released on bail and some of the villagers have been granted anticipatory bail and who caused the assault on the deceased is a matter for trial.

7. According to the learned counsel appearing for the petitioner, no purpose is going to be served by subjecting the petitioner to either to judicial custody or police custody. Since the final report has been filed and committal proceedings are also pending, considering the fact that since final report has been filed, no purpose will be going to be served by subjecting the petitioner to judicial custody or police custody.

8. Since major portion of the investigation is over and number of the co-accused were granted either bail or anticipatory as the case may be and also considering the oddness of the matter, this court is inclined **to grant anticipatory bail** to the petitioner with certain conditions. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance before the learned Judicial Magistrate, Melur and on his 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 once 15 days at 10.00 a.m. until further orders. The petitioner shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously. 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 will stand dismissed.

sd/-

03/02/2022

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/ /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



TO

1. THE JUDICIAL MAGISTRATE,
MELUR.
2. DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
MADURAI.
3. THE INSPECTOR OF POLICE
KEELAVALAVU POLICE STATION, MADURAI DISTRICT.
4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
CRL OP (MD) No.20087 of 2021
Date :03/02/2022

SS/VR/SAR-IV/09.02.2022 : 3P/5C