



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 05/01/2022

WEB COPY

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP (MD) . No.21087 of 2021

1. Gurumani
2. Hari @ Hariharan
3. Kavin @ Kavinath
4. Ranjith @ Ranjithkumar
5. Dhanasekaran
6. Karthi @ Karthikraja
7. Kaleel @ Kaleel Rahman ... Petitioners/Accused

Vs

State rep.by
The Inspector of Police,
Devakotti Town Police Station,
Devakottai,
Sivagangai District
(Crime No.574 of 2021). ... Respondent/Complainant

For Petitioners: M/s.K.Rajeshwaran, Advocate.

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

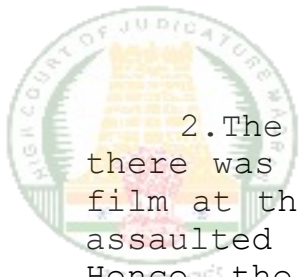
PETITION FOR ANTICIPATORY BAIL Under Sec.438 of Cr.P.C

PRAYER :-

For Anticipatory Bail in Crime No. 574 of 2021 on the file of the respondent Police.

ORDER : The Court made the following order :-

The petitioners/Accused, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 147, 148, 294(b), 323, 324, 506(ii) IPC, in Crime No.574 of 2021, seek anticipatory bail.



2.The case of the prosecution is that prior to the occurrence, there was dispute between the parties, while they were watching the film at theatre. Due to that enmity, the accused persons abused and assaulted defacto complainant with bottle and also threatened him. Hence, the complaint.

3.The learned counsel for the petitioners would submit that none injured in the incident and there was only a wordy quarrel between the parties. Hence, prays to release them on anticipatory bail.

4.The learned Government Advocate (Crl.Side) appearing for the respondent would submit that in the occurrence, one person sustained head injury, he was discharged from the hospital and the petitioner 1, 4, 5 are having previous cases, whereas other petitioners are not having any previous cases, at their credit.

5.In response, the learned counsel for the petitioner would submit that he is ready to withdraw the petition against the petitioners No.1, 4 and 5, due to their antecedents.

6.Considering the facts and circumstances of this case, that the petitioners No.2, 3, 6 & 7 are not having any previous case and that the simple nature of dispute between the parties, this Court is inclined to grant anticipatory bail to the petitioners No.2, 3, 6 & 7 alone with certain conditions.

7.Accordingly, the petitioners No. 2, 3, 6 & 7 are ordered to be released on bail in the event of arrest or their appearance, before the learned Judicial Magistrate, Devakottai and on their executing 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 2, 3, 6 & 7 shall appear before the trial Court daily at 10.30 am for a period of one month and thereafter, as and when required for interrogation. The petitioners No. 2, 3, 6 & 7 shall comply with the conditions stipulated under Section 438 Cr.P.C. scrupulously.

8.The petitioners No. 2, 3, 6 & 7 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.

9.Considering the bad antecedents against the petitioners/accused, ie., 1, 4 & 5 and that the learned counsel for the petitioner is willing to withdraw his petition, against these petitioners, this petition is dismissed as withdrawn, in respect of petitioners/accused Nos. 1, 4 & 5.

Sd/-
05/01/2022

/ TRUE COPY /

/ /2022

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

+1. CC to M/S. RAJESHWARAN.K. Advocate SR.No.107

ORDER
IN
CRL OP(MD) No.21087 of 2021
Date :05/01/2022

SP/JM/SAR /11/01/2022/2P/6C