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CRL OP(MD). N



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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 16/11/2022

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.20288 of 2022

1. Selvam

2. Devi

3. B.Rajapandian

4. B.Amaratharaki

5. S.Karthik

... Petitioners/
Accused No.1 to 5

Vs

The State rep.by,
The Inspector of Police,
District Crime Branch Police Station,
Sivgangai District,
Sivagangai,
(Crime No.33/2022).

... Respondent/Complainant

For Petitioner : M/s.Jagadeesan K,
Advocate.

For Respondent : Mr.M.Veeranthiran
Government Advocate (Crl.Side)

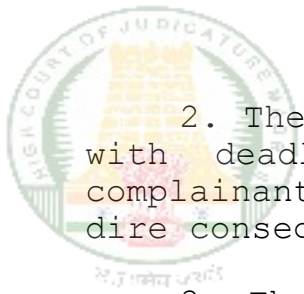
PETITION FOR ANTICIPATORY BAIL Under Sec.438 of Cr.P.C

PRAYER :-

For Anticipatory Bail in Cr No.33/2022 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioners/Accused No.1 to 5, apprehending arrest at the hands of the respondent police for the alleged offence punishable under Sections 147, 148, 294(b) and 506(2) of IPC, in Crime No.33 of 2022 on the file of the respondent police, seek anticipatory bail.



2. The case of the prosecution is that accused persons with deadly weapons in front of the house of the defacto complainant, abused him in filthy language and threatened him with dire consequences. Hence, the complaint.

3. The learned counsel for the petitioners submitted that the petitioners are innocent and they have been falsely implicated in this case.

4. The learned Government Advocate (Crl. Side) for the respondent police submitted that on the basis of the direction given by the learned Judicial Magistrate under Section 156(3) Cr.P.C., the case came to be registered. No one has sustained injury in this case. The petitioners are having no previous cases against them.

5. Considering the nature of offence, the overt act attributed against the petitioners, no person has been sustained injury in this case, the petitioners are having no previous cases pending against them and except 506(ii) IPC all other offences are bailable in nature, this Court is inclined to grant anticipatory bail to the petitioners.

6. 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 No.II, Sivagangai, on condition that the petitioners shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two common 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. Since it is submitted that the third petitioner is working in Sairam Engineering College, he shall produce his Identity Card before the respondent police for verification.

7. 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 will stand dismissed.

sd/-
16/11/2022

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/11/2022

Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TM

<https://www.mhc.tn.gov.in/judis>



Note : In view of the present lock down owing to COVID-19, 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.

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TO

1. THE JUDICIAL MAGISTRATE NO.II, SIVAGANGAI.

2. DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
SIVAGANGAI.

3. THE INSPECTOR OF POLICE,
DISTRICT CRIME BRANCH POLICE STATION,
SIVGANGAI DISTRICT,
SIVAGANGAI,

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

+1 CC to M/s.K.JAGADEESAN, Advocate (SR-13224[I] dated 17/11/2022)

ORDER

IN

CRL OP(MD) No.20288 of 2022

Date :16/11/2022

RK/VR/SAR-2 (21/11/2022) 3P/6C