



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 03/02/2023

WEB COPY

PRESENT

The Hon`ble Mr.Justice G.ILANGOVAN

CRL OP(MD) . No.2234 of 2023

1. Kaliappan
2. Venkatesh

... Petitioners/Accused Nos.3 and 4

Vs

The State rep.by,
The Inspector of Police,
Vadamadurai Police Station,
Dindigul District
(Crime No.27 of 2023).

... Respondent/Complainant

For Petitioner : M/s.Sathya Chidambaram.S,
Advocate.

For Respondent : Mr.K.Sanjai Gandhi,
Government Advocate (Crl.Side)

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

PRAYER :-

For Anticipatory Bail in Crime No.27 of 2023 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioners/A3 and A4, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 147, 148, 294(b), 323, 324, 447 and 506(ii) of I.P.C. and Section 4 of Tamil Nadu Prohibition of Harassment of Women Act, 2002, in Crime No.27 of 2023 on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that due to previous enmity between the parties, the petitioners and others went to the de-facto complainant's relative's house and attacked them with wooden log. At the same time, the de-facto complainant had interfered the same, the



petitioners attacked the de-facto complainant and abused in filthy language and also given life threat to him. Hence, the case.

3.The learned counsel for the petitioners would submit that the petitioners innocents and a false case has been foisted against them and hence, he would seek for anticipatory bail.

4.Reading of the FIR shows that on 13.01.2023, some quarrel arose between two groups of people at the place of condolence in the village, that was pacified and later, the present occurrence said to have taken place. The de-facto complainant's relative one Keerthika was stated to be pregnant at the time of the above said occurrence and she was also assaulted with wooden log and etc.

5.The learned Government Advocate (Crl. side) would submit that the injured has been treated as inpatient and hence, he would oppose for grant of anticipatory bail.

6.Considering the facts that it is a case of simple injury and the fifth accused has already been arrested and released on bail, this Court is inclined to grant anticipatory bail to the petitioner.

7.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, Vedasandur, Dindigul District, 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 petitioner shall appear before the respondent police once in a month i.e., on first working day of every English calendar month at 10.30 a.m. until further orders. The petitioners shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously.

8.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/-
03/02/2023

/ TRUE COPY /

/02/2023
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.



TO

1. The Judicial Magistrate,
Vedasandur, Dindigul District.
2. Do-Through The Chief Judicial Magistrate,
Dindigul District.
3. The Inspector of Police,
Vadamadurai Police Station,
Dindigul District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1. CC to M/S.SATHYA CHIDAMBARAM.S Advocate SR.No. 1870 (I)

ORDER

IN

CRL OP(MD) No.2234 of 2023

Date :03/02/2023

VA/SB/SAR-3/13.02.2023/2P/6C