



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 06/07/2023

WEB COPY

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.12205 of 2023

1. R.Prasanth
2. V.Kumareshan
3. Murugeshan

... Petitioners/Accused Nos. 1 to 3

Vs

State Rep.by
The Sub Inspector of Police,
Kulithalai Police Station,
Karur District
(Crime No.336 of 2023).

... Respondent/Complainant

For Petitioners : Mr.A.Chandrakumar, Advocate

For Respondent : Mr.S.Manikandan,
Government Advocate (Crl.Side)

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

PRAYER :-

For Anticipatory Bail in Crime No.336 of 2023 on the file of the respondent police

ORDER : The Court made the following order :-

The petitioners/Accused, apprehending arrest at the hands of the respondent police for the alleged offence punishable under Sections 294(b), 325, 506(i) IPC, in Crime No.336 of 2023 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that due to land dispute, on 22.06.2023 at about 06.00p.m., there was trouble arose between two groups. The accused persons were abused and assaulted the defacto complainant, thereby, caused injuries to him. Hence, the complaint.



3. The learned counsel for the petitioners submit that it is a case in counter, based upon the complaint given by the petitioners, a counter case was registered in Crime No.335 of 2023 against the defacto complainant party and that the injured has been discharged from the hospital. Hence, prays to release them on anticipatory bail.

4. The learned Government Advocate (Crl.Side) appearing for the respondent would submit that based upon the complaint given by the petitioners, case in counter was registered in Cr.No.335 of 2023 against the defacto complainant party. Though in both the cases injured were discharged from the hospital and there is no previous cases pending against the petitioners, investigation is not yet completed. Hence, prays to dismiss the petition.

5. Heard the learned counsel appearing on either side and perused the materials placed before this Court.

6. Considering the land dispute between the parties, that in both the cases injured were discharged from the hospital, that the petitioners are not having any previous case at their credit and it is a case in counter, this Court is inclined to grant anticipatory bail to the petitioners.

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, Kuzhithalai, Karur 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 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.

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/-

06/07/2023

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/07/2023

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



PNM
TO

1 THE JUDICIAL MAGISTRATE
KUZHITHALAI, KARUR DISTRICT.

2 DO-THROUGH :
THE CHIEF JUDICIAL MAGISTRATE,
KARUR DISTRICT.

3 THE SUB INSPECTOR OF POLICE
KULITHALAI POLICE STATION KARUR DISTRICT

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

+1 CC to M/s.A.CHANDRAKUMAR, Advocate (SR-10372[I] dated 07/07/2023

ORDER
IN
CRL OP(MD) No.12205 of 2023
Date :06/07/2023

PKP/ /SAR- /10.07.2023/ **3P/6C**