



CRL OP(MD). No.12584 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 11/07/2023

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.12584 of 2023

1. Rajesh,

2. Selvam @ Thee Selvam @ Subramanian, ... Petitioners/ Accused Nos. 3 & 4

Vs

State Rep.by
The Inspector of Police,
Somarasampet Police Station,
Somarasampet,
Trichy District.
Crime No.157 of 2023.

... Respondent/ Complainant

For Petitioners : M/s.Ananda Kumar N, Advocate.

For Respondent : Mr.B.Nambiselvan
Additional Public Prosecutor

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

PRAYER :-

For Anticipatory Bail in Crime No.157 of 2023 on the file of the Respondent Police.

ORDER : The Court made the following order :-



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The petitioners/Accused Nos. 3 & 4, apprehending arrest at the hands of the respondent police for the alleged offence punishable under Sections 147, 148, 294(b), 342, 307 and 506(ii) of IPC, in Crime No.157 of 2023, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that due to enmity with regard to temple festival, the petitioners along with other accused abused the de-facto complainant in filthy language and A1 attacked the defacto complainant with aruval on his head and the second petitioner also attacked the de-facto complainant's friend Chandru and ran away from the scene of occurrence. Hence, the case.

3.The learned counsel for the petitioners submitted that this is the second application for anticipatory bail. The earlier anticipatory bail Petition filed by the petitioners in Crl.OP(MD)No.9696 of 2023 was dismissed on 06.06.2023 on the ground that custodial interrogation of the petitioners is very much necessary.

4. The learned Additional Public Prosecutor appearing for the respondent police submitted that the first petitioner is having one previous case and the same was disposed of and the second petitioner is having four previous cases.

5.In view of the antecedents of the second petitioner, this Court is not inclined to grant anticipatory bail to the second petitioner. Accordingly, this petition is dismissed insofar as the second petitioner is concerned.



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6. Considering the facts and the circumstance of this case and also the fact that the first petitioner is not having any bad antecedents, this Court is inclined to grant anticipatory bail to the first petitioner.

7. Accordingly, the first petitioner is ordered to be released on bail in the event of arrest or his appearance, before the learned Judicial Magistrate Court No.V, Trichy, 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 first petitioner shall appear before the respondent police on every Saturday at 10.30 am until further orders. The second petitioner shall comply with the conditions stipulated under Section 438 Cr.P.C. scrupulously.

8. The first petitioner 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.

sd/-
11/07/2023

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/07/2023
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TTA



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TO
WEB COPY

- 1 THE JUDICIAL MAGISTRATE NO.V
TRICHY DISTRICT.
- 2 DO THROUGH:
THE CHIEF JUDICIAL MAGISTRATE,
TRICHY DISTRICT.
- 3 THE INSPECTOR OF POLICE
SOMARASAMPET POLICE STATION, SOMARASAMPET,
TRICHY DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.N.ANANDA KUMAR, Advocate (SR-10541[I] dated 12/07/2023)

ORDER
IN

CRL OP(MD) No.12584 of 2023

Date :11/07/2023

Madurai Bench of Madras High Court is issuing certified
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