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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.12537 of 2023

1. Karthickselvam

2. Divakar @ Dhivakar

... Petitioners/ Accused Nos.1 & 2

Vs

The State represented by
The Inspector of Police,
Pandalgudi Police Station,
Virudhunagar District.
Crime No.35/2023.

... Respondent/Complainant

For Petitioners : M/s.Gandhirajan.M,
Advocate.

For Respondent : Mr.M.Vaikkam Karunanithi,
Government Advocate (Crl.Side)

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

PRAYER :-

For Anticipatory Bail in Crime No.35/2023 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioners, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 294(b), 323, 324 and 506(ii), in Crime No.35 of 2022, on the file of the respondent police, seek anticipatory bail.



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2. The case of the prosecution is that on 18.05.2023 at about 09.00 p.m., the petitioners drove to their bike in a rash and negligent manner and the same was questioned by the petitioners. At that time, the petitioners, abused the defacto complainant in filthy language and also attacked him. Hence, the complaint.

3. The learned counsel for the petitioners submits that the petitioners are innocent and they have not committed any offence as alleged by the prosecution. He further submitted that due to previous enmity, the present complaint has been given by the defacto complainant.

4. The learned Government Advocate(Crl.Side) appearing for the respondent submits that no previous case is pending against the petitioners and also submitted that the injured has been discharged from the hospital.

5. Considering the facts and the circumstances of this case and the injured person has been discharged from the hospital, this Court is inclined to grant anticipatory bail to the petitioners, however, with stringent conditions.

6. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or their appearance, before the learned Judicial Magistrate, Aruppukottai, 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 shall appear before the respondent police on every Saturday at 10.30 am until further orders. The petitioners shall comply with the conditions stipulated under Section 438 Cr.P.C. scrupulously.

7. The petitioners 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/-

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



WTO COPY

- 1 THE JUDICIAL MAGISTRATE,
ARUPPUKOTTAI.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
VIRUDHUNAGAR DISTRICT.
- 3 THE INSPECTOR OF POLICE
PANDALGUDI POLICE STATION, VIRUDHUNAGAR DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

+1 CC to M/s.M.GANDHIRAJAN, Advocate (SR-10564[I] dated 12/07/2023)

ORDER
IN
CRL OP(MD) No.12537 of 2023
Date :11/07/2023

SS/DD/20/07/2023/3P/6C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17/07/2023