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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Date : 27/07/2023

PRESENT

The Hon'ble Mr.Justice G.ILANGO VAN
CRL OP(MD). No.13308 of 2023

1.Kuppusamy

2. Kumar

3. Suresh

... Petitioners/ Accused Nos.2 to 4

Vs

The State, represented by
The Sub-Inspector of Police,
Government Hospital Police Station,
Trichy City.
Crime No.1032 of 2023.

... Respondent/Complainant

For Petitioner : Mr.C.Karthikeyan
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.1032/2023 on the file of the Respondent police.

ORDER : The Court made the following order :-

The petitioners/ Accused No.2 to 4, apprehending arrest at the hands of the respondent Police for the alleged offence punishable under Sections 294(b), 323, 324,

506(ii) I.P.C. And 4 of TNPWH Act, in Crime No.1032 of 2023 on the file of the

respondent Police, seek anticipatory bail.



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2. The case of the prosecution in defacto complainant's version is that the defacto complainant received information from his wife stating that the neighbor Lakshmi attacked his mother and she was taken to the hospital. Over the above said occurrence, information was given to the Palakarai Police Station and his mother was admitted in Government Hospital, Puthur. At about 2.15 p.m., on that date, the accused came to the hospital with knife, caused assault to him and his wife and criminally intimidated them. Later, they came to know on enquiry about the names of the accused, over which, this case has been registered.

3. The learned counsel for the petitioner would submit that only on coming to know that the said Lakshmi has attacked the mother of the defacto complainant, the petitioners went for making compromise talk with the defacto complainant in the hospital and except that they did not indulge in such sort of illegal activities.

4. The learned Government Advocate (Crl. Side) would submit that even as per the allegation made in the First Information Report, these petitioners went to the Government Hospital with knife and caused assault. It is the serious issue. Hence, he makes strong objection to grant anticipatory bail to the petitioner.

5. The learned counsel for the petitioner has produced the copy of Accident Register, wherein it has been stated that the defacto complainant and another injured stated to be injured. While giving statement before the Doctor, stated that he was assaulted by unkonwn persons with hands, found injuries, abaration and pain.



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6. Considering the above said factual aspects and considering the fact that the injured has been discharged from the hospital, 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 No.4, Trichy, 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/-

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/08/2023

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

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- 1 THE JUDICIAL MAGISTRATE NO.IV
TRICHY.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
TRICHY,
- 3 THE SUB INSPECTOR OF POLICE
GOVERNMENT HOSPITAL POLICE STATION,
TRICHY CITY.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER
IN
CRL OP(MD) No.13308 of 2023
Date :27/07/2023

SS/MMS/07/08/2023/4P/5C

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