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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). Nos.13377 and 13419 of 2023

R.V.Baradhan

... Petitioner / Accused No.5
in Crl.O.P(MD)No.13377 of 2023

1.V.Velmurugan

2.V.Balamurugan

... Petitioner / Accused Nos.3 and 4
in Crl.O.P(MD)No.13419 of 2023

Vs

State through
Inspector of Police,
Gandhi Market Police Station,
Tiruchirapalli City,
Crime No.977 of 2023.

... Respondent/Complainant in both cases

For Petitioner : M/s.N.Ilango, Advocate
(in both cases)

For Respondent : Mr.R.Suresh Kumar
Government Advocate (Crl.Side)
(in both cases)

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

COMMON PRAYER :-

For Anticipatory Bail in Crime No.977 of 2023 on the file of the Respondent

Police

<https://www.mhc.tn.gov.in/judis>



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ORDER : The Court made the following order :-

The petitioners/ Accused Nos.3 to 5, apprehending arrest at the hands of the respondent police for the alleged offence punishable under Sections 294(b), 323, 324 and 506(ii) of IPC, in Crime No.977 of 2023, on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution in brief is that, the defacto complainant is a practicing advocate. His father is a Trustee of Varaganeri, Ilankaliyamman Temple. Because of the death in their family, they did not participate in the temple festival. On 13.07.2023, his cousin brother namely Balamurugan and Velmurugan tried to divert the temple car. That was objected by the villagers so that attempt spoiled. Stating that this complainant is the reason for the above said objection by the villagers on 15.07.2023 at about 11.30 p.m., they came to the house and made a quarrel with his father. At about 1 p.m., he went to his paternal uncle's shop. At that time, one Ranjith Kumar and Krishnakumar abused him in filthy language and caused assault with wooden log and hands. One Velmurugan also joined with them and assaulted. So also one Balamurugan and Baradhan criminally intimidated the defacto complainant. When his brother came to that place, he was also assaulted. Both were taken to the hospital and in the hospital, statement was recorded upon which case has been registered.



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3. The learned Government Advocate (Crl.side) would submit that in the both cases, the injured has been discharged from the hospital. In view of the very same occurrence, a counter case has also been registered.

4. The learned counsel for the petitioner submitted that Accused No.5 is a practicing advocate.

5. Considering the facts and circumstances of this case and also the fact that in other two cases, bail has been granted to the petitioners, this Court is inclined to grant anticipatory bail to the petitioners.

6. Accordingly, these Criminal Original Petitions are 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.V, Trichy, on condition that the petitioner shall execute 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 petitioners in Crl.O.P(MD)No.13419 of 2023 shall appear before the respondent police daily at 10.30 a.m. until further orders. Eventhough, no identity card was produced as to the Accused No.5 he is a practicing advocate, considering the submissions made by the learned counsel for the petitioner, the petitioner in Crl.O.P(MD)No.13377 of 2023, is directed to appear before the respondent police as and when required for interrogation. The petitioner



shall comply with the condition stipulated under Section 438 Cr.P.C. Scrupulously.

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7. 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/-
27/07/2023

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/08/2023
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

PNN
TO

- 1 THE JUDICIAL MAGISTRATE NO.V
TRICHY.
- 2 DO THROUGH:
THE CHIEF JUDICIAL MAGISTRATE,
TRICHY DISTRICT.
- 3 THE INSPECTOR OF POLICE
GANDHI MARKET POLICE STATION,
TIRUCHIRAPALLI CITY.



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

+2 CC to M/s.N.ILANGO, Advocate (SR-11374[I] & 11375(I)dated 27/07/2023)

ORDER

IN

CRL OP(MD) No.13377 of 2023

Date :27/07/2023

PKP/BUC/SAR- /14.08.2023/ 5P/7C

Madurai Bench of Madras High Court is issuing certified
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