



WEB COPY

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

Date : 10/08/2023

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.13500 of 2023

1. S.Essakkiraj

2. S.Essakikumar

... Petitioners/ Accused Rank Nos.1 to 2

Vs

The State represented by
The Inspector of Police,
Palayamkottai Police Station,
Tirunelveli City,
Tirunelveli District,
Crime No.743/2023.

... Respondent/Complainant

For Petitioners : M/s.Dhilipan Pandian.R.L,
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.743 of 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), 324, 506(ii) and 379 (NH) of IPC and



Section 4 of TNPHW Act, in Crime No.743 of 2023, on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that due to money dispute, on 30.06.2023 at about 08.50 p.m, the accused persons abused the defacto complainant in filthy language, also attacked him with hands and caused injuries to 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 police submitted that no previous case is pending against the petitioners. He further submitted that it is a case in counter case.

5. On the earlier occasion, this Court after hearing both side counsels, directed the respondent police to produce the CD file before this Court. As per the direction of this Court, the respondent police is present before this Court and he has also produced the CD file. Perusal of CD file shows no clue is available with regard to chain.

6. Considering the facts and the circumstances of this case, the petitioner is not



having any previous cases, and also of the fact that it is a case in counter this Court is inclined to grant anticipatory bail to the petitioners, however, with stringent conditions.

7. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or their appearance, before the learned Judicial Magistrate Court No.I, Tirunelveli District, 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.

8. 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/-

10/08/2023

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/08/2023

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

TTA
TO

1 THE JUDICIAL MAGISTRATE NO.I
TIRUNELVELI.



2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
TIRUNELVELI.

3 THE INSPECTOR OF POLICE
PALAYAMKOTTAI POLICE STATION,
TIRUNELVELI CITY,
TIRUNELVELI DISTRICT

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

ORDER
IN
CRL OP(MD) No.13500 of 2023
Date :10/08/2023

SS/VR/18/08/2023/4P/5C

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