



CRL OP(MD). No.13708 of 2023

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

Date : 03/08/2023

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.13708 of 2023

1.Vishva

2.Vishal

... Petitioners / Accused Rank not kown

Vs

The State represented by
The Inspector of Police,
Watrap Police Station,
Virudhunagar District.
Crime No.63 of 2023.

... Respondent / Complainant

For Petitioners : M/s.C.Susi Kumar, Advocate

For Respondent : Mr.R.Suresh Kumar
Government Advocate (Crl.side)

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

PRAYER :-

For Anticipatory Bail in Crime No.63 of 2023 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioners / Accused, apprehending arrest at the hands of the respondent police for the alleged offence punishable under Sections 341, 294(b), 323, 506(ii) of



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IPC, in Crime No.63 of 2023, on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that the defacto complainant and the accused persons have previous enmity over pathway dispute. On 30.03.2023 at about 11 a.m., the defacto complainant and his friend namely one Dinesh went to their regular work in two wheeler along the disputed property of the first accused. At that time, the accused persons abused the defacto complainant in filthy language, assaulted them with stick. Hence the complaint.

3. The learned counsel for the petitioners would submit that because of the pathway issue between them and the defacto complainant, originally, Crime No.636 of 2020 was registered against eight persons. In the above said FIR, this petitioners were not shown as accused. The very same issue continues till now. It has been alleged that the petitioner along with other said to have caused injury to the defacto complainant. The petitioners are innocent, they have not committed any offence as alleged by the prosecution.

4. The learned Government Advocate (Crl.side) would submit that final report is filed and taken cognizance in C.C.No.72 of 2021 before the learned Judicial magistrate No.1, Srivilliputhur. Investigation is still pending in this case.

5. Considering the facts and circumstances of this case and also the fact that



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the over a civil dispute, trouble has arisen between the parties, this Court is inclined to grant relief to the petitioners.

6. 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.I, Srivilliputhur, on condition that the petitioners 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 on further condition that 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.

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/-
03/08/2023

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

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To

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1.The Judicial Magistrate No.I,
Srivilliputhur.

2.Do through the Chief Judicial Magistrate,
Virudhunagar District at Srivilliputhur.

3.The Inspector of Police,
Watrap Police Station,
Virudhunagar District.

4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

ORDER

IN

CRL OP(MD) No.13708 of 2023

Date :03/08/2023

ED/VR/SAR- (18/08/2023) 4P / 5C

Madurai Bench of Madras High Court is issuing certified copies in this format from
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