



CRL OP(MD). No.13774 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

(Criminal Jurisdiction)

Date : 27/07/2023

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.13774 of 2023

Dhanapal @ Dhanapalan

... Petitioner/ Accused No.4

Vs

State Rep.by
The Inspector of Police,
Seithur Rural Police Station,
Virudhunagar District.
Crime No.66 of 2022.

... Respondent/ Complainant

For Petitioner : M/s.R.Alagumani, 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.66 of 2022 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner/ Accused No.4, apprehending arrest at the hands of the respondent police for the alleged offence punishable under Sections 147, 148, 324, 506

(ii) of IPC, in Crime No.66 of 2022 on the file of the respondent police, seeks

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



anticipatory bail.

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2. The case of the prosecution is that on due to previous enmity, on 24.07.2022 at about 07.00 p.m., the petitioner along with other accused, assaulted the defacto complainant with weapons and also abused him in filthy language. Hence, the complaint.

3. The learned counsel for the petitioner submitted that the petitioner is innocent and he has been falsely implicated in this case.

4. The learned Government Advocate (Crl. Side) for the respondent police submitted that the petitioner is arrayed as A4 in this case. Over the management of the temple, trouble arose between the parties. There is a case in counter case. In both cases, the parties sustained injuries and after taking treatment, discharged from the hospital. Investigation has been completed in both cases and final reports have also been filed and the same were also taken cognizance.

5. Considering the nature of offence, the overt act attributed against the petitioner, it is a case in counter case, the injured person in both cases have been discharged from the hospital and final reports were also filed in both cases, this Court is inclined to grant anticipatory bail to the petitioner.

6. Accordingly, this Criminal Original Petition is allowed and petitioner is ordered to be released on bail in the event of arrest or on his appearance, before the



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learned Judicial Magistrate, Rajapalayam, Virudhunagar District, 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 petitioner shall appear before the respondent police daily at 10.30 a.m. until further orders. The petitioner shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously.

7. The petitioner 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

/ TRUE COPY /

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

TM

TO

1 THE JUDICIAL MAGISTRATE, RAJAPALAYAM,
VIRUDHUNAGAR DISTRICT.

2 DO-THROUGH : THE CHIEF JUDICIAL MAGISTRATE,
VIRUDHUNAGAR DISTRICT AT SRIVILLIPUTTUR.



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3 THE INSPECTOR OF POLICE
SEITHUR RURAL POLICE STATION,
VIRUDHUNAGAR DISTRICT.

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

ORDER
IN
CRL OP(MD) No.13774 of 2023
Date :27/07/2023

RS/VRS/SAR-(01.08.2023) 4P 5C
Madurai Bench of Madras High Court is issuing
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