



CRL OP(MD). No.14125 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 08/08/2023

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.14125 of 2023

1. Palani,
2. Vijayan

... Petitioners/ Accused No.1 & 2

Vs

State Rep.by
The Inspector of Police,
Kariyapatti Police Station,
Virudhunagar District.
(Crime No.152 of 2023).

... Respondent/Complainant

For Petitioner : M/s.Ramu.M, 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.152 of 2023 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioners/ Accused No.1 & 2, apprehending arrest at the hands of the respondent police for the alleged offence punishable under Sections 147, 452, 323, 294



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(b) and 506(ii) of IPC in Crime No.152 of 2023 on the file of the respondent police, seek anticipatory bail.

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2. The case of the prosecution is that due to previous motive on 26.07.2023 at about 09.00 a.m, the petitioners gathered unlawfully and attacked the defacto complainant and threatened him with dire consequences. Hence, the complaint.

3. The learned counsel for the petitioners submitted that the petitioners are innocent and they have been falsely implicated in this case. It is a case in counter case.

4. When the matter was called on 02.08.2023, one Mr. Sebastinal Preethi, learned counsel proposed to file intervening petition, so far no intervening petition has been filed. Today, there is no representation for the defacto complainant.

5. The learned Government Advocate (Crl. Side) for the respondent police submitted that there is one previous case pending against the first petitioner and two previous cases are pending against the second petitioner. The injured in this case has been discharged from the hospital. It is a case in counter case.

6. Considering the nature of offence and though there is previous antecedents have been noted against the petitioner, since it is a case in counter case, 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



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learned Judicial Magistrate No.II, Virudhunagar, 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/-
08/08/2023

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/08/2023

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

TM
TO

1 THE JUDICIAL MAGISTRATE NO.II, VIRUDHUNAGAR.

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

3 THE INSPECTOR OF POLICE
KARIYAPATTI POLICE STATION, VIRUDHUNAGAR DISTRICT.



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

+1 CC to M/s.M.RAMU, Advocate (SR-11968[I] dated 08/08/2023)

ORDER
IN
CRL OP(MD) No.14125 of 2023
Date :08/08/2023

RS/VRS/SAR-1(14.08.2023) 4P 6C
Madurai Bench of Madras High Court is issuing
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