



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

Date : 16/08/2023

PRESENT

The Hon'ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.14882 of 2023

1.B.Santhosh Kumar

... 1st Petitioner/1st Accused

2.K.Manikandan

... 2nd Petitioner/ Accused Rank Not Known
Vs

The State, represented by
The Inspector of Police,
Vengamedu Police Station,
Karur District.

Crime No.269 of 2023.

... Respondent/ Complainant

For Petitioner : Mr.Senthil Kumaraiah,J,
Advocate.

For Respondent : Mr.B.Nambiselvan,
Additional Public Prosecutor.

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

PRAYER :-

For Anticipatory Bail in Crime No.269/2023 on the file of the Respondent police.

ORDER : The Court made the following order :-

The petitioner/ Accused, apprehending arrest at the hands of the respondent police for the alleged offence punishable under Sections 294(b), 324, 506(ii) of IPC in

Crime No.269 of 2023, seeks anticipatory bail.



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2. The case of the prosecution is that the 1st petitioner has purchased a house property from one Sumathi and he is in possession and enjoyment of the property. The brother of the said Sumathi, one R.Sankar / defacto complainant herein, had filed suit in O.S.No.274 of 2020, wherein the first petitioner is also a party. Since the said Sankar wants the petitioner to vacate the property, the petitioner along with other accused persons, trespassed into the house of the defacto complainant, attacked him with iron rod and criminally intimidated him. Hence the complaint.

3. The learned counsel for the petitioners submitted that the petitioners are innocents, they have not committed any offence as alleged by the prosecution. They have been falsely implicated in this case and seek for the relief of anticipatory bail.

4. The learned Additional Public Prosecutor would submit that injured has been discharged from the hospital.

5. During the course of enquiry itself, the petitioners moved the anticipatory bail application before this Court and that was dismissed directing the respondent to complete the enquiry. On next day itself, the First Information Report has been registered.

6. Considering the facts and circumstance of this case and also injured is discharged from the hospital, this Court is inclined to grant anticipatory bail to the petitioners.



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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 learned Judicial Magistrate No.I, Karur, 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 will stand dismissed.

sd/-
16/08/2023

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

INDU

TO

1 THE JUDICIAL MAGISTRATE NO.I
KARUR.



2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
KARUR DISTRICT.

3 THE INSPECTOR OF POLICE
VENGAMEDU POLICE STATION, KARUR DISTRICT.

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

+1 CC to M/s.J.SENTHIL KUMARAIAH, Advocate (SR-12427[I] dated 18/08/2023)

ORDER
IN
CRL OP(MD) No.14882 of 2023
Date :16/08/2023

SS/VR/24/08/2023/4P/6C

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