



WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 09/08/2023

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.14505 of 2023

1. Arichandran,

2. Selvamani @ Chellamani

... Petitioners/ Accused Nos.1 & 2

Vs

The State represented by
The Inspector of Police,
Kadayam Police Station,
Tenkasi District.
Cr.No.216/2023.

... Respondent/Complainant

For Petitioners : M/s.Selva Kumar.S,
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. 216/2023 on the file of the respondent Police.



ORDER: The Court made the following order :-

WEB COPY

The petitioners, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 294(B), 324 and 506(i), in Crime No.216 of 2023, on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that due to civil dispute enmity, on 01.08.2023, the accused persons abused the defacto complainant in filthy language and also attacked the defacto complainant and his wife with wooden log and caused injuries to them. 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. He further submitted that for the very same occurrence, FIR in Crime No.215 of 2023 was registered against the defacto complainant and others.

4. The learned Government Advocate(Crl.Side) appearing for the respondent submits that no previous case is pending against the petitioners and also submitted that the injured has been discharged from the hospital. He further submitted that it is a case in counter case.



WEB COPY

5. Considering the facts and the circumstances of this case and also of the fact that it is a case in counter and the injured has been discharged from the hospital, this Court is inclined to grant anticipatory bail to the petitioners, however, with stringent conditions.

6. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or their appearance, before the learned Judicial Magistrate Court, Ambasamuthiram, Tenkasi District and on their executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each, with common 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.

7. 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/-
09/08/2023

/ TRUE COPY /

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



WITTO COPY

- 1 THE JUDICIAL MAGISTRATE,
AMBASAMUDRAM, TENKASI DISTRICT.
 - 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE
TIRUNELVELI
 - 3 THE INSPECTOR OF POLICE
KADAYAM POLICE STATION,
TENKASI DISTRICT.
 - 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.
- +1 CC to M/s.S.SELVA KUMAR, Advocate (SR-12226[I] dated 11/08/2023)

ORDER
IN
CRL OP(MD) No.14505 of 2023
Date :09/08/2023

SS/VR/21/08/2023/4P/6C

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