



WEB COPY

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

Date : 17.08.2023

PRESENT

The Hon'ble Mr.Justice G.ILANGO VAN

CRL OP(MD) No.15010 of 2023

1.G.Thalapathy

2.R.Arun Pandiyan

3.M.Siva Prakash

... petitioners/ Accused Nos.2, 4, 6

Vs.

State Rep. by  
The Sub-Inspector of Police,  
Aruppukkottai Police Station,  
Virudhunagar District.  
(Crime No.203 of 2023).

... Respondent/ Complainant

For petitioners : Mr.N.Ananda Kumar,  
Advocate.

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

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

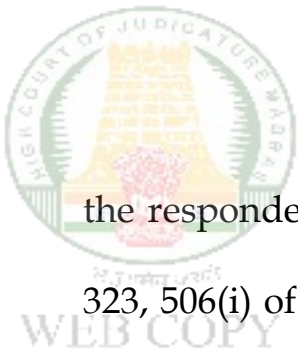
PRAYER :-

For Anticipatory Bail Crime No.203 of 2023 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioners/ Accused Nos.2, 4 and 6, apprehending arrest at the hands of

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



the respondent Police for the alleged offence punishable under Sections 147, 294(b), 323, 506(i) of IPC, in Crime No.203 of 2023 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that due to business motive, on 03.08.2023 at about 8.20 p.m., when the defacto complainant was in his house, he received a phone call from one Thalapathy, who invited him near reliance petrol Bunk. When the defacto complainant went to the spot, the first accused along with other accused abused him in filthy language, attacked and threatened him with dire consequences.

3. The learned counsel for the petitioners submitted that the petitioners are innocent and they have been falsely implicated in this case. The petitioners only pacified the quarrel, which arose between the defacto complainant and the said Udhayakumar.

4. The learned Government Advocate (Crl. Side) for the respondent Police submitted that the first petitioner is having one previous case in similar nature and other petitioners are having no previous cases at their credit.

5. Considering the facts and circumstances of this case and also considering the fact that the petitioners No.2 and 3 are having no previous cases, this Court is inclined to grant anticipatory bail to the petitioners No.2 and 3. So far the first petitioner is concerned, this Criminal Original Petition is dismissed, since he is involved in previous case, which is similar in nature.



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6. Accordingly, this Criminal Original Petition is partly allowed and the petitioners No.2 and 3 are ordered to be released on bail in the event of arrest or on their appearance, before the learned Judicial Magistrate, Aruppukkottai, on condition that the petitioners No.2 and 3 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 No.2 and 3 shall appear before the respondent Police daily at 10.30 a.m. until further orders. The petitioners No.2 and 3 shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously.

7. The petitioners No.2 and 3 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/-  
17/08/2023

/ TRUE COPY /

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

Indu



TO

- 1 THE JUDICIAL MAGISTRATE  
ARUPPUKKOTTAI
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,  
VIRUDHUNAGAR DISTRICT AT  
SRIVILLIPUTHUR
- 3 THE SUB INSPECTOR OF POLICE  
ARUPPUKOTTAI POLICE STATION,  
VIRUDHUNAGAR.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,  
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.N.ANANDA KUMAR, Advocate ( SR-12537[I] dated 21/08/2023 )

ORDER  
IN  
CRL OP(MD) No.15010 of 2023  
Date :17/08/2023

SSA/VR/31.08.2023/4P/6C

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