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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 24/08/2023

PRESENT

The Hon'ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.15392 of 2023

1.Chinnadurai @ Cenadurai

2.S.Chelladurai

3.C.Gowrisankar

4.Parathesi @ Mani

5.M.Karuppammal

6.C.Muthukutti

... Petitioners/ Accused Nos.1 to 6

Vs

The State, represented by
The Inspector of Police,
Murappanadu Police Station,
Thoothukudi District.
Crime No.160 of 2023.

... Respondent/ Complainant

For Petitioner : Mr.G.Aravinthan,
Advocate.

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

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



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For Anticipatory Bail in Crime No.160/2023 on the file of the Respondent police.

ORDER : The Court made the following order :-

The petitioners/Accused No.1 to 6, apprehending arrest at the hands of the respondent police for the alleged offence punishable under Sections 147, 294(b), 323, 506(ii) I.P.C., in Crime No.160 of 2023 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that on 07.08.2023 at about 3.00 p.m., there was a dispute with regard to celebration of adal padal function in the temple festival between the petitioners and the defacto complainant, over which, the petitioners and others said to have attacked the defacto complainant by hands and wooden stick and also caused simple injury to the defacto complainant. Hence, the complaint.

3. The learned counsel for the petitioners submitted that the petitioners are innocent and they are no way connected in this case. Originally, the defacto complainant had digged the road in front of the petitioners house using JCB, when the same was questioned by the petitioners, the trouble arose between the parties.



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4. The learned Government Advocate (Crl. Side) for the respondent police submitted that it is a case and counter case. The counter case has been registered in Crime No.163 of 2023 before the respondent Police Station. Both parties got injured in this case. Further, the third petitioner is having one previous case and other petitioners are having no previous cases at their credit.

5. Considering the facts and circumstance of this case and also considering that it is a case and counter case, in which, both the parties got injured and the injured have been discharged from the hospital, this Court is inclined to grant anticipatory bail to the petitioners.

6. 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, Srivaikuntam, 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.



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7. 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/-
24/08/2023

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/09/2023
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

Indu

TO

- 1 THE JUDICIAL MAGISTRATE NO.I,
SRIVAIKUNTAM
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
THOOTHUKUDI
- 3 THE INSPECTOR OF POLICE
MURAPPANADU POLICE STATION,
THOOTHUKUDI DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.



+1 CC to M/s.G.ARAVINTHAN, Advocate (SR-12761[I] dated 24/08/2023)

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ORDER
IN

CRL OP(MD) No.15392 of 2023

Date :24/08/2023

SSA/JGB/01.09.2023/5P/6C

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