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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.15438 of 2023

1.Ramesh

2.K.Thangarasu

3.T.Karthik

... Petitioners/ Accused Nos.1 to 3

Vs

The State represented by
The Inspector of Police,
Vangal Police Station,
Karur District.
Crime No.307 of 2023.

... Respondent/ Complainant

For Petitioner : Mr.B.Vinoth 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 in Crime No.307/2023 on the file of the Respondent police.

ORDER : The Court made the following order :-

The petitioners/ Accused No.1 to 3, apprehending arrest at the hands of the

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



respondent police for the alleged offence punishable under Sections 147, 148, 294(b), 355, 323, 324, 506(ii) I.P.C., in Crime No.307 of 2023 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that there is a land dispute between the defacto complainant and the petitioners, over which, the petitioners abused the defacto complainant in filthy language, attacked him with iron rod, wooden log and cheppal and also threatened him with dire consequences. 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. Further, already a complaint has been given by the petitioners against the defacto complainant, that is also registered in crime No.306 of 2023.

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.306 of 2023 before the respondent Police Station. Injured is discharged from the hospital. A suit in O.S.No.6 of 2023 is pending before the Sub Court, Karur between the defacto complainant and the petitioners. Even though, the first accused is having one previous case, it also ended in acquittal in S.C.No.2 of 2020 on the file of the Principal District Court, Karur.

5. Considering the facts and circumstance of this case and also considering that it is a case and counter case an injured is 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.II, 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.

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

/ TRUE COPY /

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

Indu

TO

1 THE JUDICIAL MAGISTRATE NO II
KARUR



2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
KARUR

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3 THE INSPECTOR OF POLICE
VANGAL POLICE STATION
KARUR.

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

+1 CC to M/s.B.VINOTH KUMAR, Advocate (SR-12847[I] dated 28/08/2023)

ORDER
IN
CRL OP(MD) No.15438 of 2023
Date :24/08/2023

SSA/JGB/01.09.2023/4P/6C

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