



CRL OP(MD). No.15977 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 07/09/2023

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

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1. Pandi,
2. R.Vairakalai,
3. Petchiammal,
4. Mayavanam,
5. Naveenkumar,
6. Neethi @ Neethirajan,
7. Theda @ Thedaselvam,
8. Vasantha

... Petitioners/ Accused 1 to 8

Vs

State Rep.by
The Inspector of Police,
Sindupatti Police Station,
Madurai District.
(Crime No.161 of 2023).

... Respondent/ Complainant

For Petitioners : M/s.A.Prasanna Rajadurai, 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.161 of 2023 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioners/ Accused No.1 to 8, apprehending arrest at the hands of the respondent police for the alleged offence punishable under Sections 147, 294(b), 323, 324, 427 and 506(i) of IPC, in Crime No.161 of 2023 on the file of the respondent



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police, seek anticipatory bail.

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2.The case of the prosecution is that due to property issue, on 21.08.2023 at 12.00 hours, the accused persons abused the defacto complainant in filthy language and attacked with sticks, rods, stones etc., and caused injuries all over his body. When he was in hospital, the accused persons put up thatched shed in his land on 22.08.2023. The thatched shed was collapsed and destroyed due to the wind on 23.08.2023. But, on misunderstanding that the defacto complainant damaged the above said shed, the accused persons caused damages to the front wall, door of the defacto complainant's house, his vehicles namely one tractor and two two-wheelers. Hence, the complaint.

3.The learned counsel for the petitioners submitted that the petitioners are innocent and they have been falsely implicated in this case.

4.The learned Government Advocate (Crl. Side) for the respondent police submitted that there is a land dispute between the parties. The injured sustained simple injuries and discharged from the hospital. There is a case in counter case has been registered.

5.Considering the nature of offence, the overt act attributed against the petitioners, the injured person has been discharged from the hospital, there is a case in counter case and both persons caused damages to each other, this Court is inclined to grant anticipatory bail to the petitioners on payment of costs.



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6. Accordingly, the petitioners are directed to deposit a sum of Rs.50,000/- (Rupees Fifty Thousand only), jointly, to the credit of crime No.161 of 2023, before the trial Court, without prejudice to his rights and contentions before the trial Court.

7. On such deposit being made, 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, Thirumangalam, Madurai District, 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 as and when required for interrogation. 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 stands dismissed.

sd/-
07/09/2023

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/09/2023

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

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TO

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1 THE JUDICIAL MAGISTRATE, THIRUMANGALAM, MADURAI DISTRICT.

2 DO-THROUGH : THE CHIEF JUDICIAL MAGISTRATE, MADURAI DISTRICT.

3 THE INSPECTOR OF POLICE, SINDUPATTI POLICE STATION,
MADURAI DISTRICT.

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

ORDER

IN

CRL OP(MD) No.15977 of 2023

Date :07/09/2023

RS/JGB/SAR-(12.09.2023) 4P 5C

Madurai Bench of Madras High Court is issuing
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