



CRL OP(MD). No.16107 of 2023

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 05/09/2023

PRESENT

The Hon'ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.16107 of 2023

Gongeswaran

... Petitioners/Sole Accused

Vs

State through
The Inspector of Police,
Salaigramam Police Station,
Sivagangai District.
Crime No.79 of 2023.

... Respondent/Complainant

For Petitioner : Mr.P.R.Boomeerajan, 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.79 of 2023 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioners/Sole Accused, apprehending arrest at the hands of the respondent police for the alleged offence punishable under Sections 294(b), 324 and

506(ii) IPC in Crime No.79 of 2023 on the file of the respondent police, seek

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



CRL OP(MD). No.16107 of 2023

anticipatory bail.

WEB COPY

2. The case of the prosecution is that there is dispute exist between the defacto complainant and the petitioner regarding land dispute and also the petitioner's father filed a civil suit in O.s.No.63 of 2018 on the file of the District Munsif Court, Ilayankudi and the same is pending. On 19.08.2023 at about 7.30 a.m., the petitioner attacked the defacto complainant using wooden log, criminally intimidated him and also scolded using abusive words. Due to the above said attack, the defacto complainant and other were admitted in hospital. Hence, the complaint.

3. The learned counsel for the petitioner would submit that the petitioner is an innocent and he has not committed any such offences. Actually, the defacto complainant attacked the petitioner and his son using Aruval, so that they sustained injury.

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.80 of 2023 and the injured in both the cases are discharged from the hospital.

5. Considering the fact that it is the case and counter case, the injured in both the cases are discharged from the hospital, hence, this Court is inclined to grant anticipatory bail to the petitioner.



CRL OP(MD). No.16107 of 2023

WEB COPY

6. Accordingly, this Criminal Original Petition is allowed and petitioner is ordered to be released on bail in the event of arrest or on his appearance, before the learned Judicial Magistrate, Ilayankudi, Sivagangai, on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties each for a like sum to the satisfaction of the learned Magistrate concerned and the petitioner shall appear before the respondent police daily at 10.30 a.m. until further orders. The petitioner shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously.

7. The petitioner 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/-
05/09/2023

/ TRUE COPY /

/09/2023

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

Indu

TO

1 THE JUDICIAL MAGISTRATE,
ILAYANKUDI, SIVAGANGAI DISTRICT.



CRL OP(MD). No.16107 of 2023

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, SIVAGANGAI DISTRICT.

WEB COPY

3 THE INSPECTOR OF POLICE, SALAIGRAMAM POLICE STATION,
SIVAGANGAI DISTRICT.

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

+1 CC to M/s.PR.BOOMEERAJAN, Advocate (SR-13218[I] dated 05/09/2023)

ORDER
IN

CRL OP(MD) No.16107 of 2023
Date :05/09/2023

RS/JGB/SAR-(13.09.2023) 4P 6C
Madurai Bench of Madras High Court is issuing
certified copies in this format from 17/07/2023