



CRL OP(MD). No.16259 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 08/09/2023

PRESENT

The Hon'ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.16259 of 2023

1.Ramakrishnan

2.Vadivel

3.Alwar

4.Alagarsamy

... Petitioners/ Accused Nos.4 to 7

Vs

The State, represented by
The Inspector of Police,
T.Kallupatti Police Station,
Madurai District.
Crime No.210 of 2023.

... Respondent/ Complainant

For Petitioner : Mr.C.R.M.Prabhu,
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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WIPRAYER:-

For Anticipatory Bail in Crime No.210/2023 on the file of the Respondent police.

ORDER : The Court made the following order :-

The petitioners/Accused Nos.4 to 7, apprehending arrest at the hands of the respondent police for the alleged offence punishable under Sections 147, 148, 294(b), 427, 323, 506(ii) I.P.C., and Section 4 of TNPHW Act, 2002, in Crime No.210 of 2023 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that on 26.08.2023 at around 2.30 p.m., the petitioners along with other persons had gone to the field of the defacto complainant, where the defacto complainant and her husband were standing, the petitioners and other accused had assaulted the husband of the defacto complainant. 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.



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4. The learned Government Advocate (Crl. Side) for the respondent Police submitted that the petitioners No.2, 3 and 4 are deleted from the arrayed accused during the course of investigation.

5. Considering the nature of offence, this Court is inclined to grant anticipatory bail to the petitioners.

6. Accordingly, this Criminal Original Petition is allowed in respect of the first petitioner on condition that the first petitioner shall deposit a sum of Rs.3,000/- (Rupees Three Thousand only) to the credit of Cr.No.210 of 2023 before the trial Court concerned towards the cost of damage caused to the crops, without prejudice to his rights and contentions before the trial Court.

7. On such deposit being made, the first petitioner is ordered to be released on bail in the event of arrest or on his appearance, before the learned Judicial Magistrate, Peraiur, Madurai, on condition that the first 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 first petitioner shall appear before the respondent police daily at 10.30 a.m. until further orders. The first



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petitioner shall comply with the condition stipulated under Section 438 Cr.P.C. Scrupulously. The defacto complainant is permitted to withdraw the above said amount deposited by the first petitioner without waiting for the conclusion of trial.

8. The first 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.

9. Considering the submission made by the learned Government Advocate (Crl.Side), in respect of the petitioners No.2 to 4, this Criminal Original Petition is dismissed as unnecessary.

sd/-
08/09/2023

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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, PERAIUR, MADURAI.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
MADURAI.



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3. THE INSPECTOR OF POLICE,
T.KALLUPATTI POLICE STATION,
MADURAI DISTRICT.

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

+1 CC to M/s.C.R.M.PRABHU, Advocate (SR-13371[I] dated 08/09/2023)

ORDER
IN
CRL OP(MD) No.16259 of 2023
Date :08/09/2023

RK/VRS (13/09/2023) 5P / 6C

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