



CRL OP(MD). No.16506 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 12/09/2023

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

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1. Balasubramanian,

2. Mohankumar,

3. Lavanraj,

4. City Muthu,

5. Mohanraj,

6. Chinnathai,

7. Indira @ Indirani,

... Petitioners/ Accused 1 to 7

Vs

The Inspector of Police,
Vaiampatty Police Station,
Trichy District,
Crime No.379/2023.

... Respondent/ Complainant

For Petitioners : M/s.PRABU.M,
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.379/2023 on the file of the respondent
police

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



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ORDER: The Court made the following order :-

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The petitioners/Accused No.1 to 7, apprehending arrest at the hands of the respondent police for the alleged offence punishable under Sections 147, 148, 294(b), 323, 324, 427 & 506(ii) of IPC in Crime No.379 of 2023 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that on 11.08.2023, the defacto complainant namely Sakthivel had lodged complaint before the respondent police, stating that he is running Mineral Water Company. Due to previous motive, between the petitioners and the defacto complainant, on 05.08.2023 at about 03.00 p.m., the petitioners quarreled with the defacto complainant. At that time of the occurrence, the petitioners abused him in filthy language, attacked with wooden stick and also threatened the defacto complainant. Hence, the case.

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 during the course of investigation the names of the petitioners 4, 6 & 7 / accused persons 4, 6 and 7 have been deleted from the FIR. There is a property dispute between the parties. The injured person in this case has been discharged from the hospital.



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5. Since the names of the petitioners 4, 6 & 7 / Accused Nos.4, 6 & 7 have been deleted from the FIR, nothing survives for further consideration in respect of them. Therefore, this Criminal Original Petition is dismissed as infructuous as against Accused Nos.4,6 & 7.

6.Considering the nature of offence, the overt act attributed against the other petitioners and the injured person has been discharged from the hospital, this Court is inclined to grant anticipatory bail to the petitioners 1, 2, 3 & 5 on deposit of amount.

7. Accordingly, this Criminal Original Petition is allowed and the petitioners 1, 2, 3 & 5 shall deposit a sum of Rs.5,000/- (Rupees Five Thousand only) to the credit of Crime No.379 of 2023 before the concerned trial Court without prejudice to his rights and contentions before the trial Court.

8.On such deposit being made, the petitioners 1, 2, 3 & 5 are ordered to be released on bail in the event of arrest or on their appearance, before the learned Judicial Magistrate, Manapparai, Trichy District, on condition that the petitioners 1, 2, 3 & 5 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 1, 2, 3 & 5 shall appear before the respondent police daily at 10.30 a.m. until further orders. The petitioners 1, 2, 3 & 5 shall comply with



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the condition stipulated under Section 438 Cr.P.C. scrupulously.

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7. The petitioners 1, 2, 3 & 5 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 will stand dismissed.

sd/-
12/09/2023

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

TM
TO

1 THE JUDICIAL MAGISTRATE,
MANAPPARAI.

2 DO THROUGH THE CHIEF JUDICIAL
MAGISTRATE, TRICHY DISTRICT.

3 THE INSPECTOR OF POLICE,
VAIAMPATTY POLICE STATION,
TRICHY DISTRICT.

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

+1 CC to M/s.M.PRABU, Advocate (SR-13535[I] dated 12/09/2023)



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ORDER
IN
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Date :12/09/2023

SA/DD/SAR. /20.09.2023/5P/6C

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