



CRL OP(MD). No.16581 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 13/09/2023

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.16581 of 2023

1. S.Mayandi,

2. R.Mani @ Murugan,

... Petitioners/ Accused 3 & 5

VS

The Inspector of Police,
Manur Police Station,
Tirunelveli District.
Crime No.416 of 2023.

... Respondent/Complainant

For Petitioner : M/s.SELVANAYAGAM D,
Advocate.

For Respondent : Mr.B.NAMBISELVAN,
Additional Public Prosecutor

PETITION FOR ANTICIPATORY BAIL Under Sec.438 of Cr.P.C

PRAYER :- For Anticipatory Bail in Crime No.416 of 2023 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioners/Accused No.3 & 5, apprehending arrest at the hands of the respondent police for the alleged offence punishable under Sections 147, 294(b), 323, 307 and 506(ii) of IPC in Crime No.416 of 2023 on the file of the respondent police, seek anticipatory bail.



CRL OP(MD). No.16581 of 2023

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2. The case of the prosecution is that on 28.08.2023 at about 8.30 p.m. when the defacto complainant and his relatives were sitting in front of his grand mother's house situated in Kalakkudi, one Prakash came by that way on his motor bike after dropping off the defacto complainant's brother's child at his home and at that time the first accused went towards him, willfully stood in front his bike, dashed against his motor bike. This led to wordy quarrel between them. Following the same, the defacto complainant complained about the same to the mother of 1st accused also. The first accused along with other accused assaulted the defacto complainant with the hands on his cheek, back and abdomen and the fifth accused attacked him using stones on the back of his head. 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 Additional Public Prosecutor for the respondent police submitted that it is a case in counter case. In both the cases, injured have been discharged from the hospital. The matter has been settled out of the Court between the parties, in the presence of elders. The co-accused in this case has been released on bail by this Court.

5. Considering the fact that it is a case in counter case, in both the cases injured have been discharged from the hospital, the co-accused has been released on bail by



CRL OP(MD). No.16581 of 2023

this Court and the matter has been settled between the parties out of the Court, this

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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.V, Tirunelveli, 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.

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/-
13/09/2023

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



CRL OP(MD). No.16581 of 2023

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TO

WEB COPY

1 THE JUDICIAL MAGISTRATE NO.V, TIRUNELVELI.

2 DO THROUGH THE CHIEF JUDICIAL
MAGISTRATE, TIRUNELVELI DISTRICT.

3 THE INSPECTOR OF POLICE,
MANUR POLICE STATION, TIRUNELVELI DISTRICT.

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

+1 CC to M/s.D.SELVANAYAGAM, Advocate (SR-13623[I] dated 13/09/2023)

ORDER IN
CRL OP(MD) No.16581 of 2023
Date :13/09/2023

SA/VRS/SAR. /29.09.2023/4P/6C

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