



CRL OP(MD). No.16600 of 2023

WEB COPY

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)**

Date : 20/09/2023

PRESENT

The Hon'ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.16600 of 2023

1.Saminathan
2.Vasantha
3.Pugalenthi
4.Prabakaran

... Petitioners/ Accused Nos.1 to 4

Vs

The State, represented by
The Inspector of Police,
Uppiliyapuram Police Station,
Trichy District.
Crime No.249 of 2023.

... Respondent/ Complainant

For Petitioner : Mr.S.Muthukrishnan, 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.249/2023 on the file of the Respondent police.

ORDER : The Court made the following order :-

The petitioners/ Accused No.1 to 4, apprehending arrest at the hands of the respondent police for the alleged offences punishable under Sections 324, 294(b), 506

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



CRL OP(MD). No.16600 of 2023

(ii) I.P.C., in Crime No.249 of 2023 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that the frequent trouble arises between the petitioners and the defacto complainant with regard to dogs barking. In this circumstances, on 06.09.2023 at about 5.30 p.m., the petitioners and others entered into the dairy farm run by the defacto complainant, attacked the defacto complainant and her brother-in-law with wooden log, snatched 4 sovereigns of gold chain and a mobile phone. 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. The first petitioner requested several times the defacto complainant to avoid the dogs to stool in front of the house of the petitioners. On 06.09.2023 at about 5.00 p.m., while the petitioners were in their house, the defacto complainant and her husband attacked the petitioners and caused injury to the first petitioner. Hence, the case in crime No.250 of 2023 for the offences under Section 323, 294(b), 506 (ii) IPC.

4. The learned Government Advocate (Crl. Side) for the respondent police submitted that it is a case and counter case, injured have been discharged from the hospital and there is no previous case pending against the petitioners.

5. Considering the nature of offence, it is a case and counter case, the injured



CRL OP(MD). No.16600 of 2023

persons have been discharged from the hospital and no previous case is pending against the petitioners, this 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, Thuraiyur, 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 daily at 10.30 a.m. until further orders. 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/-
20/09/2023

/ TRUE COPY /

/10 /2023
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.



CRL OP(MD). No.16600 of 2023

INDU
TO

- 1 THE JUDICIAL MAGISTRATE, THURAIYUR.
- 2 DO THROUGH:
THE CHIEF JUDICIAL MAGISTRATE, TRICHY DISTRICT.
- 3 THE SUB INSPECTOR OF POLICE
UPPLIYAPURAM POLICE STATION, TRICHY CITY.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.S.MUTHUKRISHNAN, Advocate (SR-13978[I] dated 21/09/2023)

ORDER

IN

CRL OP(MD) No.16600 of 2023

Date :20/09/2023

PKP/MGA/SAR- /09.10.2023/ 4P/ 6C

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