



CRL OP(MD). No.16763 of 2023

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

Date : 15/09/2023

PRESENT

The Hon'ble Mr.Justice G.ILANGO VAN

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1.Othi @ Kathiresan

2.Ayyavu @ Karuppasamy

3.Manoj

4.Balaji

... Petitioners/ Accused Nos.1,2, 4 and 6

Vs

The State, represented by
The Inspector of Police,
Aruppukkottai Taluk Police Station,
Virudhunagar District.
Crime No.136 of 2023.

... Respondent/ Complainant

For Petitioner : Mr.J.Mohamed Ibrahim, 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.136/2023 on the file of the Respondent police.

ORDER : The Court made the following order :-

The petitioners/ Accused No.1, 2, 4 and 6, apprehending arrest at the hands of the

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respondent police for the alleged offence punishable under Sections 147, 148, 294(b), 323, 324, 341, 506(i) and 307 I.P.C., r/w. Section 4 of TNPHW Act and 3 of TNPPDL Act, in Crime No.136 of 2023 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that on 19.08.2023 at about 5.00 p.m., when the defacto complainant and his wife were returning home after purchasing vegetables, the petitioners and other accused due to previous enmity formed themselves into unlawful assembly, abused them using filthy language, in order to kill the defacto complainant assaulted with hands and wood, pushed them down and also harassed the defacto complainant's wife. 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 petitioners and other accused belonging to Schedule Caste. On 19.08.2023, the defacto complainant and others came to the petitioners's area and abused the petitioner using their caste name. Hence, the second petitioner lodged a complaint against the defacto complainant and the same is registered in Crime No.137 of 2023.

4. The learned Government Advocate (Crl. Side) for the respondent police submitted that it is a case and counter case. In both the occurrence, totally five persons got injured and the injured have been discharged from the hospital.



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5. Considering the nature of offence, it is a case and counter case, the injured persons in both the cases have been discharged from the hospital, 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, Aruppukkottai, Virudhunagar District, 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/-
15/09/2023

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



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INDU
TO

- 1 THE JUDICIAL MAGISTRATE, ARUPPUKOTTAI.
- 2 DO THROUGH: THE CHIEF JUDICIAL MAGISTRATE,
VIRUDHUNAGAR DISTRICT @ SRIVILLIPUTHUR.
- 3 THE INSPECTOR OF POLICE
ARUPPUKOTTAI TALUK POLICE STATION,
VIRUDHUNAGAR DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI. MDU
+1 CC to M/s.J.MOHAMED IBRAHIM, Advocate (SR-13751[I] dated 15/09/2023)

ORDER
IN

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Date :15/09/2023

PKP/GB/SAR- /03.10.2023/ 4P/6C
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