



WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

( Criminal Jurisdiction )

Date : 21/09/2023

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). Nos.17065 and 17068 of 2023

S.Abdulkalam Azad

... Petitioner / Accused No.7  
in CRL OP(MD)No.17065 of 2023

N.Ramprakash

... Petitioner / Accused No.1  
in CRL OP(MD)No.17068 of 2023

Vs

State represented by  
The Sub Inspector of Police,  
Thillainagar Police Station,  
Trichy City.  
Cr.No.1336 of 2023.

... Respondent/Complainant  
(in both cases)

For Petitioner : M/s.B.Jameel Arasu  
Advocate.  
(in Crl.O.P.(MD)No.17065 of 2023)

For Petitioner : M/s.G.Thalai Mutharasu  
Advocate.  
(in Crl.O.P.(MD)No.17068 of 2023)

For Respondent : Mr.R.Suresh Kumar  
Government Advocate (Crl.side)  
(in both cases)



## PETITIONS FOR ANTICIPATORY BAIL's Under Sec.438 of Cr.P.C

### COMMON PRAYER :-

For Anticipatory Bail in Crime No.1336 of 2023 on the file of the Respondent police.

COMMON ORDER : The Court made the following order :-

The petitioner/ Accused apprehends arrest at the hands of the respondent police for the offences under Sections 147, 295, 297, 447 and 427 of IPC in Crime No.1336 of 2023, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the petitioners along with others trespassed into the property of Dharka with a JCB machine in order to grab the valuable property and caused damage to the name board of Dharka and created religious dispute among the society. Hence the complaint.

3. The learned counsel for the petitioners would submit that the petitioners are innocents, they have been falsely implicated in this case and they have not committed any offence as alleged by the prosecution.

4. Learned Government Advocate (Crl.side) would submit that earlier application was dismissed by this Court on 25.08.2023.

5. It appears that on 29.08.2023, learned Principal District Judge, Trichy has granted anticipatory bail to Sakthivel Murugan / A6 and Vivekanandan/A4, who are similarly placed.



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6. Considering the facts and circumstances of this case and also the fact that co-accused have been released on anticipatory bail, this Court is inclined to grant relief to the petitioners.

7. 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.IV, Trichy, 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 of Cr.P.C., scrupulously.

8. The petitioners shall appear before the concerned Magistrate within a period of 15 days from the date on which the order copy is made ready, failing which, the petition for anticipatory bail will stand dismissed.

sd/-  
21/09/2023

/ TRUE COPY /

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

PNN



TO

1 THE JUDICIAL MAGISTRATE NO.IV, TRICHY.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, TRICHY.

3 THE SUB INSPECTOR OF POLICE  
THILLAI NAGAR POLICE STATION,  
TRICHY CITY.

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

+1 CC to M/s.B.JAMEEL ARASU, Advocate ( SR-14026[I] dated 22/09/2023 )

+1 CC to M/s.G.Thalai Mutharasu Advocate ( SR-13987[I] dated 22/09/2023 )

ORDER

IN

CRL OP(MD). Nos.17065 and 17068 of 2023

Date :21/09/2023

SS/MGA/06/10/2023/4P/7C

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