



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.16962 of 2023

1. Adhikumar,

2. R.Muneersshwaran,

... Petitioners/ Rank Not Known

Vs

The State Rep.by

The Inspector of Police,

Othakadai Police Station,

Madurai.

(In Crime No.315 of 2023).

... Respondent/Complainant

For Petitioner : M/s.Santhakumar.S,
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. 315 of 2023 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioners/Accused, apprehending arrest at the hands of the respondent police for the alleged offence punishable under Sections 147, 148, 294(b), 323, 307 of



IPC in Crime No.315 of 2023, on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that due to dispute over purchasing the harvester machine, the accused persons gathered, pushed the defacto complainant into the car, abused the defacto complainant in filthy language and attacked him. Hence, he suffered injuries. On hearing noise neighbours gathered. On seeing neighbours, all the accused persons escaped from the place of occurrence with the car. 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. A3 in this case has been granted anticipatory bail by the Principal District Judge, Madurai in CrI.M.P.No.5086 of 2023, who is similarly placed person.

4. The learned Government Advocate (CrI. Side) for the respondent police submitted that totally there are five accused persons in this case. A1 & A2 have been arrested and still in custody. Petitioner is the hench man of the A1 and A2.



5. Considering the nature of offence, the injured person has been discharged from the hospital and the co-accused in this case has been granted anticipatory bail by the Principal District Judge, 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, Melur, 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.



TO

1 THE JUDICIAL MAGISTRATE,
MELUR

2 DO-THROUGH :
THE CHIEF JUDICIAL MAGISTRATE, MADURAI DISTRICT.

3 THE INSPECTOR OF POLICE
OTHAKADAI POLICE STATION,
MADURAI.

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

+1 CC to M/s.S.SANTHAKUMAR, Advocate (SR-13913[I] dated 20/09/2023)

ORDER
IN
CRL OP(MD) No.16962 of 2023
Date :20/09/2023

TM

MK/05.10.2023 4P 6C

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