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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 26/09/2023

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.16994 of 2023

1.V.Palsamy
2.P.Vairamuthu
3.B.Velmayil
4.B.Suresh @ Sureshpandi
5.M.Pitchaiyammal
6.M.Arun @ Arunkumar
7.R.Mokkaipandi
8.K.Brindhalakshmi
9.Petchiyammal

... Petitioners / Accused Nos.1 to 4 and 6 to 10

Vs

State represented by
The Sub Inspector of Police,
Thirumangalam Taluk Police Station,
Madurai District.
Crime No.171 of 2023.

... Respondent / Complainant

For Petitioners : M/s.S.Muthukumar, Advocate

For Respondent : Mr.S.Manikandan
Government Advocate (Crl.Side)

For Intervener : Mr.Selvakumar, Advocate



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

PRAYER :-

For Anticipatory Bail in Crime No.171 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, 324 and 506(ii) of IPC in Crime No.171 of 2023, on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that on 27.08.2023 when the defacto complainant was working at his agricultural field, the accused persons came there and attacked the defacto complainant with sickle and wooden log. The defacto complainant sustained injury in this incident. The accused persons have also abused him in filthy language and criminally intimidated him. Hence the complaint.

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



4.Learned counsel for the intervener would submit that one of the injured has sustained injury in the head injury.

5.Learned counsel for the intervener would submit that a counter case in Crime No.172 of 2023 has also been registered against the defacto complainant.

6.Considering the facts and circumstances of this case and also the fact that counter case was also registered, this Court is inclined to grant anticipatory bail 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 his appearance, before the learned Judicial Magistrate, Thirumangalam, Madurai District, on condition that the petitioners shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two common 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.



8. 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/-
26/09/2023

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

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TO

- 1.The Judicial Magistrate, Thirumangalam, Madurai District.
2. Do through the Chief Judicial Magistrate,
Madurai District.
- 3.The Sub Inspector of Police,
Thirumangalam Taluk Police Station,
Madurai District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+2 CC to M/s.S.MUTHUKUMAR, Advocate (SR-14284[I] dated 27/09/2023)



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ORDER
IN
CRL OP(MD) No.16994 of 2023
Date :26/09/2023

SSA/JGB/12.10.2023/5P/7C

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