



CRL OP(MD). No.20128 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 08/11/2023

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.20128 of 2023

1 P.Arasan

2 A.Aravind

... Petitioners/ Accused Nos.1 & 2

Vs

State Rep.by

The Inspector of Police,

Thuvarankurichi Police Station,

Trichy District.

(Crime No.228 of 2023).

... Respondent/Complainant

For Petitioner : Mr.C.Bharathi, Advocate.

For Respondent : Mr.R.Sureh Kumar, Government Advocate (Crl.Side).

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

PRAYER :-

For Anticipatory Bail in Crime No.228 of 2023 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/accused Nos.1 and 2, apprehending arrest at the hands of the respondent Police for the alleged offence punishable under Sections 147, 294(b), 323,

324, 448, 506(ii) of IPC, in Crime No.228 of 2023 on the file of the respondent Police,

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CRL OP(MD). No.20128 of 2023

seek anticipatory bail.

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2. The case of the prosecution is that due to previous enmity over watering the garden, on 24.09.2023 at about 10.00 a.m., when the defacto complainant watering the garden, his brother/1st accused questioned the same. Thereafter, wordy quarrel arose between them and the petitioners attacked the defacto complainant and his wife with wooden log and caused injuries. Hence, the complaint has been registered.

3. The learned counsel appearing for the petitioners would submit that the petitioners are innocent. Actually, the defacto complainant and his wife attacked the petitioners and caused severe injuries. They were admitted in the hospital and taking treatment as out patient.

4.The learned Government Advocate (Crl.Side) appearing for the respondent submitted that it is a case and counter case and the counter case has been registered in Crime No.229 of 2023 against the defacto complainant and others. Further, no previous case is pending against the petitioners, injured in both the cases have been discharged from the hospital.

5. Considering the facts and circumstances of this case and also considering that no previous case is pending against the petitioners, it is a case and counter case and the injured in both the cases have been discharged from the hospital, this Court is inclined to grant anticipatory bail to the petitioners.



CRL OP(MD). No.20128 of 2023

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6. Accordingly, this Criminal Original Petition is allowed and petitioners are ordered to be released on bail in the event of arrest or on their appearance, before the learned Judicial Magistrate, Manapparai, Trichy 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 on every Sunday 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/-
08/11/2023

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/11/2023

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

INDU
TO

1 THE JUDICIAL MAGISTRATE, MANAPPARAI, TRICHY DISTRICT.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, TRICHY DISTRICT.

3 THE INSPECTOR OF POLICE, THUVARANKURUCHI POLICE STATION,
TRICHY DISTRICT.

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CRL OP(MD). No.20128 of 2023

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

+1 CC to M/s.C.BHARATHI, Advocate (SR-16066[I] dated 08/11/2023)

ORDER

IN

CRL OP(MD) No.20128 of 2023

Date :08/11/2023

RS/JGB/SAR-(21.11.2023) 4P 6C

Madurai Bench of Madras High Court is issuing
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