



CRL OP(MD).No.5105 of 2024

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

Date : 02.04.2024

PRESENT

The Hon`ble Mr.Justice B.PUGALENDHI

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1. Velu
2. Ganapathy
3. Muthusamy
4. Sudalaiyandi
5. Ganesan
6. Subbaiah

... Petitioners/ Accused No.1 to 6

Vs

State Rep. by
The Inspector of Police,
Koodankulam Police Station,
Tirunelveli District.
(Crime No.132 of 2024)

... Respondent/Complainant

For Petitioners :Mr.V.Vijayendiran
Advocate.

For Respondent : Mr.P.Kottai Chamy,
Government Advocate (Crl.Side)

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

PRAYER :-

For Anticipatory Bail in Crime No.132 of 2024 on the file of the Respondent Police.



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ORDER : The Court made the following order :-

The petitioners, apprehending arrest at the hands of the respondent police in connection with the case in Crime No.132 of 2024 for the offence under Sections 147, 294(b), 342, 323, 324, 506(i) and 379 of IPC, have filed this petition, seeking anticipatory bail.

2. The case of the prosecution is that due to previous enmity, on 24.03.2024, during the temple festival, the petitioners have abused the defacto complainant in filthy language and attacked the defacto complainant with hands and also threatened him with dire consequences.

3. The learned counsel appearing for the petitioners submits that it is a case in counter and due to previous enmity, this case has been foisted against the petitioners.

4. The learned Government Advocate (Crl. Side) appearing for the respondent opposed for grant of anticipatory bail on the ground that the injured person has not been discharged from the hospital.



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5. Considering the facts and circumstances of the case and also considering the fact that it is a case in counter and no weapon has been used by the accused persons, 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 within a period of fifteen days from the date of receipt of a copy of this order, before the concerned learned Judicial Magistrate, on condition that

(i) the petitioners execute a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand) each, with two sureties each, for a like sum to the satisfaction of the learned Judicial Magistrate, Radhapuram, Tirunelveli District.

(ii) The petitioners and the sureties shall submit a copy of their Aadhaar Card or any other identity card issued by the Government in proof of their residence address;

(iii) The petitioners shall appear before the respondent police daily at 10.30 am



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for a period of two weeks and thereafter shall appear as and when required by the respondent police. They have to co-operate for the investigation.

(iv) The petitioners shall not misuse the liberty granted to them by indulging in any further offence and shall not tamper with the prosecution witnesses.

(v) On violation of any of the above conditions by the petitioners, the respondent police shall move an application for cancellation of the anticipatory bail.

sd/-
02/04/2024

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/04/2024
Sub-Assistant Registrar
(C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

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TO

- 1 THE JUDICIAL MAGISTRATE,
RADHAPURAM, TIRUNELVELI DISTRICT.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
TIRUNELVELI DISTRICT.
- 3 THE INSPECTOR OF POLICE
KODANKULAM POLICE STATION, TIRUNELVELI DISTRICT.



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

ORDER
IN
CRL OP(MD) No.5105 of 2024
Date :02/04/2024

SS/VR/SAR- /05/04/2024/5P/5C

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