



CRL OP(MD). No.5354 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 05/04/2024

PRESENT

The Hon`ble Mr.Justice B.PUGALENDHI

CRL OP(MD). No.5354 of 2024

1. Mukilan,
2. Raja @ Rajasekaran,
3. Muppi @ Muthupandian,
4. Vijayakumar

... Petitioners/ Accused No.1,3,5 & 7

Vs

The Inspector of Police,
Sivakasi East Police Station,
Virudhunagar District.
Crime No.115/2024.

... Respondent/Complainant

For Petitioners : M/s.J.Yogeswaran, Advocate.

For Respondent : Mr.E.Antony Sahaya Prabahar, Additional Public Prosecutor

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

PRAYER :-

For Anticipatory Bail in Crime No.115 of 2024 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioners, who apprehend arrest at the hands of the respondent police for the alleged offence punishable under Sections 147, 148, 294(b), 342, 323, 324 and 307 of IPC, in Crime No.115 of 2024, on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that due to previous enmity between the parties, on 12.03.2024, at about 11.30 p.m., the petitioners abused the defacto



complainant and his friends and attacked them with deadly weapons.

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3.The learned counsel appearing for the petitioners submits that the petitioners are innocents and they have been falsely implicated in this case.

4.The learned Additional Public Prosecutor submits that the first petitioner has three previous cases; the second petitioner has one previous case; the third petitioner has six previous cases; and the fourth petitioner has seven previous cases to their credit. Hence, he strongly opposes the grant of anticipatory bail to the petitioners.

5.Considering the antecedents of the petitioners 1, 3 and 4, this Court is not inclined to grant anticipatory bail to the petitioners 1, 3 and 4. Accordingly, this petition is dismissed as against the petitioners 1, 3 and 4.

6.Considering the nature of allegation made against the second petitioner, this Court is inclined to grant anticipatory bail to the second petitioner with certain conditions.

7.Accordingly, this criminal original petition is partly allowed and the second petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate No.II, Sivakasi, on condition that the second petitioner shall execute a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties each for a like sum to the satisfaction of the learned Judicial Magistrate



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No.II, Sivakasi and on further conditions that:

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- i. The second petitioner 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;
- ii. The second petitioner shall appear before the respondent police daily at 10.30 am for a period of two weeks and thereafter shall appear as and when required by the respondent police. He has to co-operate for the investigation.
- iii. The second petitioner shall not misuse the liberty granted to him by indulging in any further offence and shall not tamper with the prosecution witnesses. The second petitioner shall be available for the trial as well.
- iv. On violation of any of the above conditions by the second petitioner, the respondent police shall move an application for cancellation of the anticipatory bail.

sd/-

05/04/2024

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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

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1 THE JUDICIAL MAGISTRATE NO.II, SIVAKASI.

2 DO-THROUGH : THE CHIEF JUDICIAL MAGISTRATE,
VIRUDHUNAGAR DISTRICT AT SRIVILLIPUTTUR.

3 THE INSPECTOR OF POLICE, SIVAKASI EAST POLICE STATION,
VIRUDHUNAGAR DISTRICT.

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

ORDER
IN

CRL OP(MD) No.5354 of 2024

Date :05/04/2024

RS/VR/SAR-(12.04.2024) 4P 5C

Madurai Bench of Madras High Court is issuing
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