



CRL OP(MD). No.5737 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 16/04/2024

PRESENT

THE HON'BLE MR.JUSTICE B.PUGALENDHI

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1. Maruthi,
2. Velu @ Velkumar
3. Sivan @ Sivakumar
4. Selvin
5. Muthu @ J.Muthuraj
6. Mani @ Manikandan
7. Thanesh @ Dhaneshkumar

... Petitioners/ Accused 1 to 7

Vs

The Inspector of Police,
Pazhavor Police Station,
Tirunelveli District.
Crime No.89 of 2024.

... Respondent/ Complainant

For Petitioner : Mr.C.MAYILVAHANA RAJENDRAN, Advocate for
Mr.S.DHAYALAN, Advocate

For Respondent : Mr.M.SAKTHI KUMAR,
Government Advocate (Crl.Side)

For Intervenor: Mr.R.SARAVANA KUMAR, Advocate

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

PRAYER :- For Anticipatory Bail in Crime no.89 of 2024 on the file of the Respondent
Police

<https://www.mhc.tn.gov.in/judis>



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ORDER: The Court made the following order :-

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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 & 506(ii) IPC in Crime No.89 of 2024, on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that the defacto complainant and the petitioners belong to different political parties. During election campaign, there was a dispute between the defacto complainant and the petitioners, due to which, the petitioners have assaulted the defacto complainant. Due to the attack made by Sivan/the third petitioner/third accused with the iron rod, the defacto complainant has sustained severe head injuries and injury near his eyes.

3.The learned counsel appearing for the petitioners submits that the petitioners are innocent and they have not committed any offence as alleged by the prosecution. Due to political motive, the defacto complainant has lodged a false complaint, based on which, a criminal case has also been registered as against these petitioners.

4.The learned Additional Public Prosecutor submits that the injured has been admitted in the Hospital on 03.04.2024 and discharged on 11.04.2024.

5.Considering the nature of allegations and the injuries sustained by the



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victim, that too, due to election campaign, this Court is not inclined to grant anticipatory bail to the third petitioner/third accused, namely Sivan @ Sivakumar.

Anticipatory bail is granted to rest of the petitioners.

6. Accordingly, this criminal original petition is partly allowed and the petitioners except the third petitioner 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 Judicial Magistrate Court, Valliyoor on condition that the 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, Valliyoor and on further conditions that:

- i. The petitioners 1 & 2 and 4 to 7 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 petitioners 1 & 2 and 4 to 7 shall appear before the respondent police daily at 10.30 a.m, until further order. They have to co-operate for the enquiry.
- iii. The petitioners 1 & 2 and 4 to 7 shall not misuse the liberty granted to them by indulging in any further offence and shall not tamper with the prosecution witnesses. The petitioners 1 & 2 and



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4 to 7 shall be available for the trial as well.

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iv. On violation of any of the above conditions by the petitioners 1 & 2 and 4 to 7, the respondent police shall move an application for cancellation of the anticipatory bail.

sd/-
16/04/2024

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

VRN
TO

1 THE JUDICIAL MAGISTRATE,
VALLIYOOR.

2 DO THROUGH THE CHIEF JUDICIAL
MAGISTRATE, TIRUNELVELI DISTRICT.

3 THE INSPECTOR OF POLICE,
PAZHAVOOR POLICE STATION,
TIRUNELVELI DISTRICT.

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

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ORDER
IN
CRL OP(MD) No.5737 of 2024
Date :16/04/2024

SA/VR/SAR. /22.04.2024/5P/5C

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