



CRL OP(MD).No.5878 of 2024

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 17.04.2024

PRESENT

The Hon`ble Mr.Justice B.PUGALENDHI

CRL OP(MD).Nos.5878 & 5915 of 2024

CRL OP(MD).No.5878 of 2024

Divakar @ Thivakar

... Petitioner/ Accused Rank No.4

Versus

State represented by
The Inspector of Police,
Thangachimadam Police Station,
Ramanathapuram District.
(In Crime No.55 of 2024)

... Respondent/ Complainant

For Petitioner : Mr.B.Arun, Advocate

For Respondent : Mr.M.Sakthi Kumar
Government Advocate (Crl. side)

CRL OP(MD).No.5915 of 2024

1. Dominic Xavier
2. Gnanaprakasam
3. Rubildan

... Petitioners/ A1 to 3

Versus



CRL OP(MD).No.5878 of 2024

State represented by
The Inspector of Police,
Thangachimadam Police Station,
Ramanathapuram District.
(In Crime No.54 of 2024)

... Respondent/
Complainant

For Petitioners : Mr.K.Gokul, Advocate

For Respondent : Mr.M.Sakthi Kumar
Government Advocate (Crl. side)

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

PRAYER :-

For Anticipatory Bail in Crime Nos.54 & 55 of 2024 on the file of the Respondent Police.

COMMON ORDER : The Court made the following order :-

The petitioners, apprehending arrest at the hands of the respondent Police, in connection with a case in Crime Nos.54 & 55 of 2024, for the offence punishable under Sections 294(b), 324 and 506(ii) of IPC, have filed this petition seeking anticipatory bail.

2. The case of the prosecution is that the petitioners are from same village. On

02.04.2024, at Victoria Nagar, the de-facto complainant friend's fishing net was lit by

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someone. When the same was questioned by the de-facto complainant and his friends, the petitioners have abused the de-facto complainant in filthy language and attacked him with iron rod. Hence, the case.

3. The learned counsel appearing for the petitioners submits that it is a case and counter case and the petitioners are innocent persons and they have not committed any offence as alleged by the prosecution. Hence, he prays for grant of anticipatory bail to the petitioners.

4. The learned Government Advocate (Crl.Side) appearing for the respondent Police submits that the injured was treated as an out-patient and there is no previous cases against the petitioners.

5. Considering the facts and circumstances of the case and also considering the fact that the injured has been treated as an out-patient, this Court is inclined to grant anticipatory bail to the petitioners.

6. Accordingly, this Criminal Original Petitions are ordered and the petitioners are ordered to be released on bail in the event of their arrest or on their appearance



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within a period of fifteen days from the date of receipt of a copy of this order, before the 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 Court, Rameshwaram, Ramanathapuram 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 as and when required for interrogation. 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.



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(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/-
17/04/2024

/ TRUE COPY /

/04/2024

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

jbr

TO

1. THE JUDICIAL MAGISTRATE,
RAMESHWARAM, RAMANATHAPURAM DISTRICT.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
RAMANATHAPURAM.
3. THE INSPECTOR OF POLICE,
THANGACHIMADAM POLICE STATION,
RAMANATHAPURAM DISTRICT.
4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.B.ARUN, Advocate (SR-4646[I] dated 18/04/2024)

ORDER IN
CRL OP(MD) No.5878 of 2024
Date :17/04/2024

RK/JGB (25/04/2024) 5P / 6C

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