



CRL OP(MD). No.6003 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 23/04/2024

PRESENT

The Hon`ble Mr.Justice B.PUGALENDHI

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1. Mangidi,

2. Vignesh,

... Petitioners/ Accused No.1 AND 9

Vs

The Inspector of Police,
K.Pudupatty Police Station,
Pudukkottai District.
Crime No.22/2020.

... Respondent/Complainant

For Petitioner : M/s.Milton Pon Davidson J,
Advocate.

For Respondent : Mr.B.Thanga Aravindh,
Government Advocate (Crl.Side)

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

PRAYER :-

For Anticipatory Bail in Crime No.22/2020 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioners apprehending arrest at the hands of the respondent police in



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connection with Crime No.22 of 2020 for the offence under Sections 147, 148, 448, 294(b), 323 and 506(ii) of IPC, have filed this petition seeking anticipatory bail.

2.The case of the prosecution is that the defacto complainant was working as a friend of police, on 16.02.2020 at about 04.30 p.m., when he was assisting the Sub-Inspector of Police in Pudhuvayal on Kallur Road, they intercepted an auto which came from Pudhuvayal. But the driver of the auto did not stop the vehicle. However, the persons, who travelled in the auto, stared at the defacto complainant intimidated by showing gestures. Later, at 09.00 p.m., the accused persons trespassed into the house of the defacto complainant, abused him in filthy language, attacked him with deadly weapons and also threatened him with dire consequences.

3.The learned counsel for the petitioners submits that the issue between the parties has been amicably resolved.

4.The learned Government Advocate (Crl. side) submits that even though the petitioners have made a specific plea that the issue has been amicably solved between them, since the defacto complainant is working at Chennai, he has not co-operated with the enquiry and there is no compromise as alleged by the learned



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counsel for the petitioners. Hence, he has objected for grant of anticipatory bail to the petitioners.

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5.Considering the conduct of the defacto complainant and the fact that the defacto complainant has not co-operated for the enquiry, 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 learned Judicial Magistrate, Thirumayam, on condition that the petitioners shall 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 Magistrate concerned, and on further conditions that:

(i) 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;

(ii) The petitioners shall appear before the respondent police as and when required for interrogation. They have to co-operate for the investigation.



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

(iv) 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/-
23/04/2024

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/05/2024
Sub-Assistant Registrar
(C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

SJI

TO

1 THE JUDICIAL MAGISTRATE,
THIRUMAYAM.

2 DO-THROUGH :
THE CHIEF JUDICIAL MAGISTRATE, PUDUKOTTAI DISTRICT.

3 THE INSPECTOR OF POLICE
K.PUDUPATTY POLICE STATION, PUDUKKOTTAI DISTRICT.

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

+1 CC to M/s.J.MILTON PON DAVIDSON, Advocate (SR-4734[I] dated 23/04/2024)



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ORDER
IN
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Date :23/04/2024

SS/VR/SAR- /03/05/2024/5P/6C

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