



CRL OP(MD).No.6426 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 26.04.2024

PRESENT

The Hon`ble Mr.Justice B.PUGALENDHI

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1. M.Kalaiselvam
2. Premalatha
3. Kasimayan
4. K.Kottaichamy
5. Balamurugan
6. Thangamayan
7. Ilaiyaraja
8. Arun
9. Veeman
10. Arunprakash
11. Selvam

... Petitioners/ Accused No.3 to 13

Versus

State through
The Inspector of Police,
Sedapatty Police Station,
Madurai District.
(Crime No.83/2024)

... Respondent/Complainant

For Petitioner : Mr.S.Ramasundarvijayraj
Advocate

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



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

PRAYER :-

For Anticipatory Bail in Crime No.83 of 2024 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 connection with a case in Crime No.83 of 2024, for the offence under Sections 147, 148, 120(b), 341, 294(b), 323, 324, 307 and 506(ii) IPC, have filed this petition seeking anticipatory bail.

2. The case of the prosecution is that due to previous enmity, on 19.04.2024, at about 12.00 noon, when the defacto complainant, his wife and his son were returning home after casting their votes, the accused persons intercepted them, abused them in filthy language, attacked them with a knife and also caused grievous injuries.

3. The learned counsel appearing for the petitioners submits that the petitioners are innocent persons and they are in no way connected with the alleged occurrence. However, this case has been foisted as against the petitioners. Hence, he prays for grant of anticipatory bail to the petitioners.



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4. The learned Government Advocate (Crl. Side) opposes for grant of anticipatory bail on the ground that in that incident, three persons have sustained grievous injuries, out of which, two persons are discharged from hospital and one person is still in the hospital.

5. Considering the fact that the entire family members of the defacto complainant were attacked by the accused persons and the said occurrence had taken place near a Polling Booth on the election day and also considering the fact that out of three victims, one victim is still in the hospital, this Court is not inclined to grant anticipatory bail to the petitioners 1, 3 to 11.

6. However, considering the fact that the second petitioner is a woman and there is no specific overt act as against the second petitioner, this Court is inclined to grant anticipatory bail to the second petitioner alone.

7. Accordingly, this Criminal Original Petition is partly allowed. The 2nd petitioner is ordered to be released on bail in the event of arrest or on her appearance 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 2nd petitioner executes 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 District Munsif cum Judicial Magistrate, Peraiyur, Madurai District.



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(ii) The 2nd 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;

(iii) The 2nd petitioner shall appear before the respondent police once in a week in every Monday at 10.30 a.m. until further order. She has to co-operate for the investigation.

(iv) The 2nd petitioner shall not misuse the liberty granted to her 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 petitioner, the respondent police shall move an application for cancellation of the anticipatory bail.

sd/-
26/04/2024

/ TRUE COPY /

/05/2024

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

OGY
TO

1 THE DISTRICT MUNSIF CUM
JUDICIAL MAGISTRATE, PERAIYUR, MADURAI DISTRICT.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
MADURAI DISTRICT.



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3 THE INSPECTOR OF POLICE
SEDAPATTY POLICE STATION, MADURAI DISTRICT.

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

+1 CC to M/s.S.RAMSUNDARVIJAYRAJ, Advocate (SR-4995[I] dated
26/04/2024)

ORDER
IN

CRL OP(MD) No.6426 of 2024
Date :26/04/2024

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