



CRL OP(MD). No.6901 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 07/06/2024

PRESENT

The Hon`ble Mr.Justice B.PUGALENDHI

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1. M Mariselvam

2. R Joseph ... Petitioners/ Accused Nos.5 & 7

Vs

The Sub Inspector of Police,
Rajapalayam South Police Station,
Virudhunagar District.

Cr.No.174/2024. ... Respondent

For Petitioner : M/s.Lenin Prabu.S,
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.174/2024 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 apprehending arrest at the hands of the respondent police in connection with Crime No.174 of 2024 for the offence under Sections 147, 148, 294(b), 323, 324, 307 and 120B of IPC, have filed this petition seeking anticipatory bail.

2.The case of the prosecution is that on 27.04.2024, at 07.00 p.m., when the village community meeting was held at Muthukudi in respect of shed which was installed by Mariappan and Joseph in the village common place, the petitioners and other accused came there, attacked the village headman and other village elders and also abused them in filthy language. Further, the accused Sibi and Vasanthakumar attempted to kill the village elder's son, Muthumani by assaulting with sickle. Hence, the case.

3.The learned counsel for the petitioners submits that the petitioners did not commit any offence as alleged by the prosecution and they have been falsely implicated in this case. He further submits that A1 to A4, A6 and A14 have already been arrested and released on bail by the trial Court.

4.The learned Government Advocate (Crl. side) appearing for the respondent

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police opposes for grant of anticipatory bail on the ground that the investigation is yet to be completed. However, he fairly conceded that the injured has been discharged from the hospital.

5.Considering the facts and circumstances of the case, the nature of allegation made against the petitioners and also the facts that the injured has been discharged from the hospital and the co-accused have already been arrested and released on bail by the trial Court, 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 Court, Rajapalayam, 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



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of their residence address;

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(ii) The petitioners shall appear before the respondent police daily at 10.30 am until further orders. They have to co-operate for the investigation.

(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/-
07/06/2024

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/06/2024

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

SJI

TO

1. The Judicial Magistrate Court, Rajapalayam,
2. Do-Through The Chief Judicial Magistrate,
Viruthunagar District @ Srivilliputhur.



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3.The Sub Inspector of Police,
Rajapalayam South Police Station,
Virudhunagar District.

4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1 CC to M/s.S.LENIN PRABU, Advocate (SR-6280[I] dated 10/06/2024)

ORDER
IN
CRL OP(MD) No.6901 of 2024
Date :07/06/2024

RK/GS (14/06/2024) 5P / 6C

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