



CRL OP(MD).No.8415 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 10.06.2024

PRESENT

The Hon`ble Mr.Justice B.PUGALENDHI

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1. Satheeshkumar
2. S.Gowsik
3. S.V.Parthiban

... Petitioners/ Accused A1, A2, A5

Versus

The Inspector of Police,
Thottiyam Police Station,
Trichy District.
Cr.No.158/2024

... Respondent/Complainant

For Petitioners: Mr.A.SENTHIL KUMAR
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 No.158 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.158 of 2024, for the offence under Sections 147,



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294(b), 324, 506(ii) IPC and Section 4 of TNPHW Act, have filed this petition seeking anticipatory bail.

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2. The case of the prosecution is that there is a civil dispute between the first petitioner and the defacto complainant, due to which, the petitioners along with other accused came to the defacto complainant's house and demolished the fencing. When the same was questioned by the defacto complainant along with her husband, the accused persons assaulted them with a wooden log and caused injuries. They also threatened them with dire consequences. Hence, the complaint.

3. The learned counsel appearing for the petitioners submits that the petitioners are innocent persons and they have not committed any offence as alleged by the prosecution. However, they have been falsely implicated in this case. He further submits that it is a case in counter. Therefore, he prays for grant of anticipatory bail to the petitioners.

4. The learned Government Advocate (Crl. Side) appearing for the respondent Police submits that it is a case in counter. The first petitioner and the defacto complainant are neighbours and due to the civil dispute, the first petitioner along with other accused persons said to have demolished the fencing and on account of that, there was a clash between the parties. He further submits that the injured has been discharged from the hospital on 27.05.2024.



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5. The learned counsel appearing for the defacto complainant submits that the injured is still in hospital. However, he is not sure about the instruction which has been provided to him.

6. It appears that it is a dispute among the neighbours and counter case has also been registered.

7. Considering the nature of offence and also considering the submissions made by the learned Government Advocate (Crl. Side), this Court is inclined to grant anticipatory bail to the petitioners.

8. Accordingly, this Criminal Original Petition is ordered 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 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, Thottiyam, Trichy 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;



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(iii) The petitioners shall appear before the respondent Police daily at 10.30 a.m. until further orders. 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.

(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/-
10/06/2024

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/06/2024
Sub-Assistant Registrar
(C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

OGY
TO

1 THE JUDICIAL MAGISTRATE,
THOTTIYAM, TRICHY DISTRICT.

2 DO THROUGH THE CHIEF JUDICIAL
MAGISTRATE, TRICHY DISTRICT.

3 THE INSPECTOR OF POLICE,
THOTTIYAM POLICE STATION,
TRICHY DISTRICT.



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

ORDER
IN
CRL OP(MD) No.8415 of 2024
Date :10/06/2024

SA/VR/SAR. /18.06.2024/5P/5C

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