



CRL OP(MD)No.8863 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Date : 18.06.2024

PRESENT

The Hon`ble Mr.Justice B.PUGALENDHI

CRL OP(MD)No.8863 of 2024

1. Kaviyarasan

2. Vishva

3. Sanjay

4. Thangammal

5. Natarajan @ Natarasu

... Petitioners/ Accused Nos. 1 & 3 to 6

Versus

State rep. by
The Inspector of Police,
Uppuliyapuram Police Station,
Trichy District.
(Crime No.152 of 2024)

... Respondent/ Complainant

For Petitioners : Mr.K.Sivabalan,Advocate

For Respondent : Mr.P.Kottai Chamy
Government Advocate (Crl. side)

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

PRAYER :-

For Anticipatory Bail in Crime No.152 of 2024 on the file of the Respondent Police.



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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.152 of 2024, for the offence punishable under Sections 147, 294(b), 341, 323, 324 and 506(ii) IPC, have filed this petition seeking anticipatory bail.

2. The case of the prosecution is that the due to previous enmity with regard to a civil dispute, the petitioners abused the defacto complainant in filthy language and attacked him with an iron rod on his head and caused injury. Hence, the case.

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. 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 there is a specific overt act as against the A-1 and the defacto complainant sustained severe head injury with six stitches on his head. Apart from that, he raised serious objection by stating that A-1 has two previous cases pending against him.

5. Considering the antecedent of the 1st petitioner/A-1, this Court is not inclined to grant anticipatory bail to the 1st petitioner/A-1. Hence, this Petition is dismissed

insofar as the first petitioner/A-1 is concerned.

<https://www.mhc.tn.gov.in/judis>



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6. Accordingly, this Criminal Original Petition is partly allowed and the petitioners 2 to 5/A-3 to 6 are ordered to be released on bail in the event of their 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, Thuraiyur, on condition that

(i) the petitioners 2 to 5 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, Thuraiyur.

(ii) The petitioners 2 to 5 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 2 to 5 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 2 to 5 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 2 to 5, the respondent police shall move an application for cancellation of the anticipatory bail.

sd/-
18/06/2024

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/07/2024
Sub-Assistant Registrar
(C.S.I /II /III /IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

JBR

TO

- 1 THE JUDICIAL MAGISTRATE,
THURAIYUR.
- 2 DO THROUGH:
THE CHIEF JUDICIAL MAGISTRATE,
TRICHY DISTRICT.
- 3 THE INSPECTOR OF POLICE
UPPULIYAPURAM POLICE STATION,
TRICHY DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.



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+1 CC to M/s.K.SIVABALAN, Advocate (SR-6651[I] dated 19/06/2024)

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ORDER
IN

CRL OP(MD) No.8863 of 2024

Date :18/06/2024

PKP/VR/SAR /02.07.2024/ 5P/ 6C

Madurai Bench of Madras High Court is issuing certified
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