



CRL OP(MD). No.9273 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 25/06/2024

PRESENT

THE HON'BLE MR.JUSTICE B.PUGALENDHI

CRL OP(MD). No.9273 of 2024

1.Eswaran,

2.Sivaguru,

3.Sivakavi @ Kaviraj,

4.Arunkumar @ Arun,

...Petitioners/ Accused Nos. 1 to 4

Vs

The Inspector of Police,
Uthamapalayam Police Station,
Theni District.

Crime No. 178/2024.

... Respondent/ Complainant

For Petitioner : Mr.S.Maruthu Pandian, 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. 178 of 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 :-

The petitioners, who apprehend arrest at the hands of the respondent police for the alleged offence punishable under Sections 294(b), 323, 324 and 506(ii) of IPC in Crime No.178 of 2024, on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that due to previous enmity in respect of a civil dispute between the petitioners and the defacto complainant's family, on 09.06.2024 the petitioners have attacked the defacto complainant's father with stones and threatened him with dire consequences. Hence, the complaint.

3.The learned counsel appearing for the petitioners submits that the petitioners and the defacto complainant are relatives. He further submits that on the alleged date of occurrence, a funeral function of the petitioners's father had happened and no such incident as alleged by the prosecution has been taken place.

4.The learned Additional Public Prosecutor appearing for the respondent submits that the petitioners and the defacto complainant are relatives. The injured has been discharged from the Hospital.



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5. Considering the facts and circumstances of the case, and also considering the fact that the injured has been discharged from the Hospital, 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 Judicial Magistrate Court, Uthamapalayam, Theni District on condition that the petitioners shall execute 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 Judicial Magistrate, Uthamapalayam, Theni District 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 by the respondent police.
- 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. The petitioners shall be available for the trial as well.



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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/-
25/06/2024

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

VRN

TO

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



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+1 CC to M/s.S.MARUTHUPANDIAN, Advocate (SR-6974[I] dated 26/06/2024)

ORDER
IN
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Date :25/06/2024

PKP/VR/SAR /01.07.2024/ 5P/ 6C

Madurai Bench of Madras High Court is issuing certified
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