



CRL OP(MD). No.9347 of 2024

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 26/06/2024

PRESENT

The Hon`ble Mr.Justice **B.PUGALENDHI**

CRL OP(MD). No.9347 of 2024

1. Ashok
2. Prema
3. Chandran

... Petitioners/ Accused No.1 to 3

Vs

The Inspector of Police,
Melur Police Station,
Madurai District,
Crime No.346/2024.

... Respondent/Complainant

For Petitioner : Mr.S. Madhankumar, 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.346/2024 on the file of the respondent police



CRL OP(MD). No.9347 of 2024

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 a case in Crime No.346 of 2024, for the offence punishable under Sections 294(b), 324 and 506(ii) IPC, have filed this petition seeking anticipatory bail.

2. The case of the prosecution is that due to civil dispute, the accused have tried to encroach the defacto complainant's property. On questioning the same, they attacked him using deadly weapons and caused injuries. 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 the injured is still in hospital. He further submits that the first petitioner/first accused has attacked the defacto complainant and caused grievous injuries. The Petitioner Nos.2 and 3 have accompanied him and attacked the defacto complainant with hands. No previous case is pending against the petitioners.



CRL OP(MD). No.9347 of 2024

WEB COPY

5. Considering the facts and circumstances of the case and also considering the antecedent of the petitioner Nos.2 and 3, this Court is inclined to grant anticipatory bail to them. Further, considering the fact that the first petitioner has caused serious injuries to the defacto complainant, this Court is not inclined to grant any relief to the first petitioner.

6. Accordingly, this Criminal Original Petition is partly allowed. Insofar as the first petitioner is concerned, this petition is dismissed. The petitioner Nos.2 and 3 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 concerned learned Judicial Magistrate on condition that

(i) the petitioner Nos.2 and 3 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 Judicial Magistrate, Melur, Madurai District.

(ii) The petitioner Nos.2 and 3 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 petitioner Nos.2 and 3 shall appear before the respondent police daily at 10.30 am until further orders for interrogation. They have to co-operate for the investigation.



CRL OP(MD). No.9347 of 2024

WEB COPY

(iv) The petitioner Nos.2 and 3 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 petitioner Nos.2 and 3, the respondent police shall move an application for cancellation of the anticipatory bail.

sd/-
26/06/2024

/ TRUE COPY /

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

LR

TO

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

