



CRL OP(MD). No.9354 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**

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1. Viji
2. Vadivel
3. Sanjay

... Petitioner/ Accused Rank No.1 to 3

Vs

The Inspector of Police,
Emaneshwaram Police Station,
Ramanathapuram District.
Crime No. 110 of 2024.

... Respondent/Complainant

For Petitioner : M/s B.Arun, 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. 110 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.110 of 2024, for the offence punishable under Sections 294(b), 342, 323, 324 and 506(ii) IPC, have filed this petition seeking anticipatory bail.

2. The case of the prosecution is that on 20.06.2024, the petitioner has pelted stones at the Dogs, which were barking in the street. In that incident, unfortunately, the defacto complainant sustained injury. Due to which, they started to quarrel and the accused have assaulted the defacto complainant, caused injury and abused him using filthy language 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



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Police submits that the injured is still in hospital. He further submits that the third petitioner/third accused has assaulted the defacto complainant using knife and caused head injury.

5. Considering the facts and circumstances of the case and also considering that there is no specific overt act against the Petitioner Nos.1 and 2, this Court is inclined to grant anticipatory bail to the petitioner Nos.1 and 2 alone. Considering the fact that the third petitioner has used knife and assaulted the defacto complainant, this Court is not inclined to grant any relief to him.

6. Accordingly, this Criminal Original Petition is partly allowed. Insofar as the third petitioner is concerned, this petition is dismissed. The petitioner Nos.1 and 2 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.1 and 2 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, Paramakudi Ramanathapuram District.**



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(ii) The petitioner Nos.1 and 2 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.1 and 2 shall appear before the respondent police daily at 10.30 am until further orders for interrogation. They have to co-operate for the investigation.

(iv) The petitioner Nos.1 and 2 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.1 and 2, 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
PARAMAKUDI, RAMANATHAPURAM DISTRICT.



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2 DO-THROUGH :

THE CHIEF JUDICIAL MAGISTRATE,
RAMANATHAPURAM DISTRICT.

3 THE INSPECTOR OF POLICE

EMANESHWARAM POLICE STATION, RAMANATHAPURAM DISTRICT.

4 THE ADDITIONAL PUBLIC PROSECUTOR,

MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.B.ARUN, Advocate (SR-6995[I] dated 26/06/2024)

ORDER

IN

CRL OP(MD) No.9354 of 2024

Date :26/06/2024

SS/GS/SAR- /03/07/2024/5P/6C

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