



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

Thursday, the Ninth day of February Two Thousand Seventeen

PRESENT

The Hon`ble Mr.Justice A.M.BASHEER AHAMED

CRL OP(MD) No.230 of 2017

1 ASHOK KUMAR
2 PAVUNTHAI
3 KRISHNAVENI

... PETITIONERS/ACCUSED NO.1 TO 3

Vs

THE STATE THROUGH
THE INSPECTOR OF POLICE,
SRIVILLIPUTHUR TOWN POLICE STATION,
VIRUDHUNAGAR DISTRICT.
CRIME NO.947/2016

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.M.JEGADEESH PANDIAN Advocate

For Respondent : MR.P.KANDASAMY, Govt. Advocate (Crl. Side)

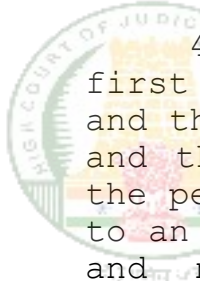
PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioners, who are arrayed as accused Nos.1 to 3, in Crime No.947 of 2016 on the file of the respondent police, apprehend arrest at the hands of the respondent police for the alleged offences punishable under Sections 294(b), 323 and 506(i) of I.P.C and hence, seek anticipatory bail.

2. Heard the learned counsel for the petitioners and the learned Government Advocate(Crl. Side) for the respondent/State.

3.The learned Government Advocate(Crl. Side) on instructions submitted that there are totally three accused in this case, who are the petitioners herein. The defacto complainant in this case is the wife of the first petitioner and the petitioners 2 and 3 are the in-laws of the defacto complainant. The defacto complainant along with her mother Kalavathi and one Selvi appeared before the mediation in the District Court Lawyer's Chamber. But the mediation failed. At that time, the first petitioner abused the defacto complainant's mother. When the same was questioned by the defacto complainant, she was abused by her in-laws and during that occurrence, the first petitioner pulled the mother of the defacto complainant Kalavathi.



4. The learned counsel for the petitioners submitted that the first petitioner herein is the husband of the defacto complainant and the other petitioners are the in-laws of the defacto complainant and there is a family dispute between the defacto complainant and the petitioners herein and due to that, the defacto complainant went to an extent of lodging a complaint as against the petitioner herein and no such occurrence happened as alleged by the defacto complainant in this case and no-one sustained injury in the alleged occurrence.

5. Considering the facts and circumstances of the case and also considering the fact that no-body is injured in the alleged occurrence, this Court is inclined to grant anticipatory bail to the petitioners, with certain conditions. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance before the learned Judicial Magistrate No.II, Srivilliputhur and on each of them executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties each for a like sum to the satisfaction of the learned Magistrate concerned and on further condition that the petitioners shall appear before the respondent police as and when required for interrogation. The petitioners shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously.

6. The petitioners shall appear before the concerned Magistrate within a period of 15 days from the date on which the order copy made ready, failing which, the petition for anticipatory bail stands dismissed.

sd/-
09/02/2017

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

- 1 THE JUDICIAL MAGISTRATE NO.II, SRIVILLIPUTHUR.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
VIRUDHUNAGAR DISTRICT AT SRIVILLIPUTHUR.
- 3 THE INSPECTOR OF POLICE,
SRIVILLIPUTHUR TOWN POLICE STATION, VIRUDHUNAGAR DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECTUOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.M.JEGADEESH PANDIAN Advocate SR.No.7455
PM
CSL/SV-MMS/SAR-III/14.02.2017 : 2P/6C

ORDER
IN
CRL OP(MD) No.230 of 2017
Date :09/02/2017