



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

Date : 13/12/2021

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.19448 of 2021

WEB COPY

1.S.Mani @ Manikandan,
2.Viji @ S.Vijayakumar,
3.Vel @ Velmurugan,
4.Suresh,

... Petitioners/Accused No.1 & 3 to 5

Vs

State Rep.by
The Inspector of Police,
Andipatti Police Station,
Theni District.
(Cr.No.703/2021).

... Respondent/Complainant

For Petitioners: Mr.S.Loaganathan,
Advocate.

For Respondent : Mr.S.S.Madhavan,
Government Advocate (Crl.Side)

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

PRAYER :-

For Anticipatory Bail in Crime No.703 of 2021 on the file of the respondent Police.

ORDER : The Court made the following order :-

The petitioners/Accused, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 147, 447, 294(b), 323, 427, 506(i) IPC and Section 4 of Prohibition of Women Harassment Act, in Crime No.703 of 2021, seek anticipatory bail.

2.The case of the prosecution is that there was petty dispute between the parties, on 21.11.2021 at about 09.30PM, the accused persons had trespassed into the house of the *defacto* complainant, abused in filthy language, threatened them with dire consequences. Hence, the complaint.

3.The learned counsel for the petitioners would submit that it is a case in counter, based upon the complaint given by the petitioners, the counter case was registered in Crime No.702 of 2021 under sections 294(b), 506(i) IPC against the *defacto* complainant party and that the injured was discharged on the date of admission itself. Hence, prays to release them on anticipatory bail.



4.The learned Government Advocate (Crl.Side) appearing for the respondent would submit that based upon the complaint given by the petitioners, case in counter was registered in Cr.No.702 of 2021 and it appears that in both the cases parties sustained injuries and in this case injured was discharged from the hospital, on the date of admission itself.

5.Reading of the FIR shows that there was petty dispute between two neighbours and it is case in counter and the date of occurrence in both cases is stated to be 21.11.2021.

6.Considering the facts and circumstances of this case, that the injured was discharged on the date of admission itself as out patient, that it is a case in counter and that the petitioners are not having any previous cases at their credit, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

7.Accordingly, the petitioners are ordered to be released on bail in the event of arrest or their appearance, before the learned Judicial Magistrate, Andipatty and on their executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each with two sureties, each for a like sum to the satisfaction of the learned Magistrate concerned and the petitioners shall appear before the respondent police daily at 10.30 am for a period of one month and thereafter, as and when required for interrogation. The petitioners shall comply with the conditions stipulated under Section 438 Cr.P.C. scrupulously.

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

sd/-
13/12/2021

/ TRUE COPY /

/ /2021
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, the responsibility of the advocate/litigant



concerned.

TO

1.The Judicial Magistrate,
Andipatty.

2.Do Through The Chief Judicial Magistrate,
Theni.

3.The Inspector of Police,
Andipatti Police Station,
Theni District.

4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1. CC to M/S.E.SATHEESH Advocate SR.No.9210

ORDER

IN

CRL OP(MD) No.19448 of 2018

Date :13/12/2021

RS/PN/SAR3(16.12.2021) 3P-6C