

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19.05.2020

CORAM:

THE HONOURABLE MS.JUSTICE V.M.VELUMANI

Crl. O.P.No.7691 of 2020

Tamilselvan (M / 20 years),
S/o. Nadimuthu,
No.159, Pambaliyar street
Edakeelaiyur Village
Mannargudi Taluk,
Thiruvarur district.
No.4

.. Petitioner/Accused

Vs.

State represented by
Inspector of Police,
Vaduvoor Police Station,
Thiruvarur District.
Respondent/Complainant
(Crime No.407 of 2020)

Prayer: Criminal Original Petition filed for anticipatory bail under
Section 438 of Criminal Procedure Code.

For Petitioner : Mr.Swami Subramanian

For Respondent : Mr.M.Jothikumar
Additional Public Prosecutor

ORDER

The petitioner, who apprehends arrest at the hands of the respondent Police for alleged offence punishable under Sections 448, 294(b), 323 and 506(i) of Indian Penal Code, 1882 in Crime No.407 of 2020 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that due to previous enmity with regard to construction of Pillaiyar temple between the family of defacto complainant, petitioner and other accused, on 28.03.2020, the petitioner and other accused trespassed into the house of defacto complainant, abused the defacto complainant and her family members in a filthy language and attacked the defacto complainant, husband of defacto complainant and other family members. They got admitted in Government Hospital, Mannargudi, for treatment, lodged a complaint and a case has been registered under Sections 448, 294(b), 323 and

506(i) of Indian Penal Code.

3.The learned counsel appearing for the petitioner submitted that due to money dispute, the petitioner is falsely implicated in this case with a view to create bad antecedent. The petitioner will not abscond from the place and co-operate with the investigation and prayed for granting anticipatory bail.

4.The learned Additional Public Prosecutor appearing for the respondent Police submitted that the investigation is not completed and objected for granting anticipatory bail.

5.Heard the learned counsel appearing for the petitioner as well as the learned Additional Public Prosecutor appearing for the respondent Police and perused the materials available on record.

6.Considering the nature of offence and date of occurrence, this Court is inclined to grant anticipatory bail to the petitioner. Accordingly, the petitioner is ordered to be released on bail in the event of his arrest or on his appearance within 15 days from the date of receipt of a copy of this order before the Court of Judicial Magistrate No.I, Mannargudi,

Thiruvavarur District, on the following conditions:

- (i)The petitioner executes a bond for Rs.10,000/- (Rupees Ten Thousand only) with two sureties each for a like sum to the satisfaction of the Judicial Magistrate No.I, Mannargudi, Thiruvavarur District and
- (ii)The petitioner appears before the respondent Police as and when required for interrogation.

7.In the result, the Criminal Original Petition is allowed.

19.05.2020

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Index : Yes / No

Internet : Yes / No

सत्यमेव जयते

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V.M.VELUMANI, J.,

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To

1.The Inspector of Police,
Vaduvoor Police Station,
Thiruvarur District.

2.The Public Prosecutor,
High Court,
Madras.



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