



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 23/03/2020

WEB COPY

PRESENT

The Hon'ble MR.Justice RMT.TEEKAA RAMAN

CRL OP(MD) . No.5061 of 2020

1. Thangaraj
2. Andichi

... Petitioner/Accused No.1 & 2

Vs

The State rep. by
The Inspector of Police,
Keelavalavu Police Station,
Madurai District.
(Crime No.74 of 2020)

... Respondent/Complainant

For Petitioners: Mr.B.Santhanam Rajeshkumar,
Advocate.

For Respondent : Mr.K.Suyambulinga Bharathi,
Government Advocate (Crl.Side).

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

PRAYER :-

for Anticipatory bail in Crime No.74 of 2020 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioners, apprehending arrest at the hands of the respondent police for the offence punishable under sections 294(b), 323, 324 and 506(ii) of I.P.C., in Crime No.74 of 2020, on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that the de-facto complainant and the petitioners are neighbours and already they having pathway dispute between both families. In this circumstances, on 14.03.2020 the de-facto complainant's hen entered into the petitioners' premises. Therefore, the petitioners abused the de-facto complainant's wife in filthy language and threatened with dire consequences. Hence the de-facto complainant's wife said this issue



to her husband for which her husband questioned the petitioners about this issue. At this juncture, there were quarrel arisen between the de-facto complainant and the petitioners and they both attacked with hands each other. Hence the de-facto complainant gave a complaint before the respondent Police, and the respondent Police registered a case against the petitioners on 18.03.2020 in Crime No.74 of 2020 under Sections 294(b), 323, 324 and 506(ii) of IPC.

3. Heard the learned counsel appearing for the petitioner and the learned Government Advocate (Crl. Side) appearing for the respondent.

4. The learned Government Advocate (Crl. side) appearing for the respondent would submit that in connection with the cattle dispute, there was an altercation between the parties. He further submitted that the injured discharged from the hospital.

5. The learned counsel for the petitioners would submit that the petitioners and the de-facto complainant are residing at the same village and are neighbours. Only on a vengeance intention, the de-facto complainant gave a false complaint against the petitioners.

6. Taking note of the facts and circumstances, this Court is inclined to grant anticipatory bail to the petitioner 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, Melur, Madurai District and on his 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, the Petitioners shall appear before the respondent police daily at 10.30 a.m. for a period of three days and thereafter as and when required for interrogation. The petitioners shall comply with the conditions stipulated under Section 438 Cr.P.C scrupulously.

7. The petitioners shall appear before the concerned Magistrate on or before 27.04.2020, failing which, the petition for anticipatory bail shall stand dismissed. In view of the medical alert announced by the State Government, I am inclined to grant time for furnishing sureties as stated above.

sd/-
23/03/2020

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/ /2020
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.



TO

1. THE JUDICIAL MAGISTRATE,
MELUR, MADURAI DISTRICT.

2. -DO-THROUGH THE CHIEF JUDICIAL MAGISTRATE,
MADURAI DISTRICT.

3. THE INSPECTOR OF POLICE,
KEELAVALAVU POLICE STATION,
MADURAI DISTRICT.

4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

+1. CC to M/S.B.SANTHANAM RAJESH KUMAR, Advocate SR.No. 5684

ORDER

IN

CRL OP(MD) No.5061 of 2020

Date :23/03/2020

PKN

TE/VR/SAR-II : 24/03/2020 : 3P/6C