



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

Date : 24/08/2021  
PRESENT

WEB COPY

**The Hon`ble Mr.Justice B.PUGALENDHI**

CRL OP(MD). No.11747 of 2021

1. Alaguraja  
2. Ponnalagu

... Petitioners/Accused Nos.1 & 2

**Vs**

The State rep.by  
The Inspector of Police,  
Kottampatti Police Station,  
Madurai District.  
in Crime No.217/2021.

... Respondent/Complainant

For Petitioners : Mr.S.B.JAMEEL ARASU  
Advocate.

For Respondent : Mr.P.KOTTAI CHAMY,  
Government Advocate (Crl.Side)

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

**PRAYER :-**

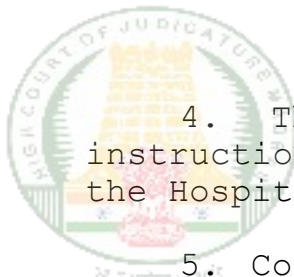
For Anticipatory bail in Crime No. 217 of 2021 on the file of the Respondent police.

**ORDER :** The Court made the following order :-

The petitioners, who apprehend arrest at the hands of the respondent police for the alleged offences punishable under Sections 147, 148, 294(b), 323, 324 and 506(1) of IPC in Crime No.217 of 2021, seek anticipatory bail.

2. The case of the prosecution is that the petitioners are having a pet animal and there is a dispute with regard to the menace of the pet animal. When the defacto complainant raised certain objections in this regard, the petitioners had assaulted him with a wooden log. Hence, the complaint.

3. The learned counsel for the petitioners submitted that the petitioners and the defacto complainant are relatives, this is a case in counter and the injured has been discharged from the hospital.



4. The learned Government Advocate (Criminal Side), on instructions, would submit that the injured has been discharged from the Hospital.

5. Considering the fact that this is a case in counter, the petitioners and the defacto complainant are relatives and that the injured has been discharged from the hospital, this Court is inclined to grant Anticipatory Bail to the petitioners. Accordingly, this petition is allowed.

6. The petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate, Melur, Madurai District on condition that the petitioners shall execute 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 respondent police or the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further conditions that:

[a]the petitioners and the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate may obtain a copy of their Aadhaar card or bank pass book to ensure their identity.

[b]the petitioners shall report before respondent police daily at 10.30 a.m, until further orders.

[c]the petitioners shall not tamper with the evidence or witness either during investigation or trial.

[d]the petitioners shall not abscond either during investigation or trial.

[e]On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioners in accordance with law as if the conditions have been imposed and the petitioners released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560].

[f]If the accused thereafter abscond, a fresh FIR can be registered under Section 229-A IPC.

sd/-

24/08/2021

/ 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, shall be the responsibility of the advocate/litigant concerned.



**TO**

1. THE JUDICIAL MAGISTRATE  
MELUR, MADURAI DISTRICT.
2. DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,  
MADURAI DISTRICT.
3. THE INSPECTOR OF POLICE,  
KOTTAMPATTI POLICE STATION,  
MADURAI DISTRICT.
4. THE ADDITIONAL PUBLIC PROSECUTOR,  
MADURAI BENCH OF MADRAS HIGH COURT,  
MADURAI.

**ORDER**

**IN**

CRL OP(MD) No.11747 of 2021

Date : 24/08/2021

SA/PN/SAR.3/03.09.2021/3P/5C