



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

Date : 23/12/2021

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.18177 of 2021

1. Valliyammai
2. Srianth @ Ananth
3. Udhayakumar @ Srikanth ... Petitioners/Accused No.1 to 3
Vs

State Rep.by
The Inspector of Police,
Madagupatty Police Station,
Sivagangai District.
Crime No.296/2021.

... Respondent/Complainant

For Petitioners: M/s.Prabhu Rajadurai G,
Advocate.

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

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

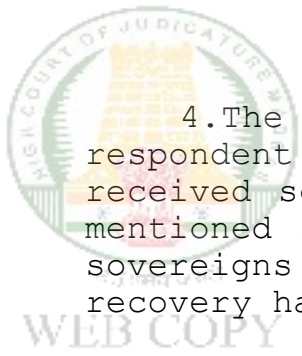
PRAYER :- For Anticipatory bail in Crime No.296 of 2021 on the
file of the Respondent police.

ORDER : The Court made the following order :-

The petitioners/Accused No.1 to 3, apprehending arrest at the hands of the respondent police for the alleged offence punishable under Sections 294(b), 323, 324, 506 (ii), 379 NH, 120 B and 307 of I.P.C., in Crime No.296 of 2021 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that due to the dispute between the petitioners and the defacto complainant with regard to grazing the cattle in the field, on 13.11.2021, at about 11.00 a.m, the petitioners said to have attacked the defacto complainant with deadly weapons like aruval and iron rod and also snatched away one mobile phone and 2 ½ sovereigns of gold chain. Hence, the complaint.

3. The learned counsel for the petitioners submitted that the petitioners are innocent and they have been falsely implicated in this case. He would further submit that the injured was discharged from the hospital. Hence, he seeks anticipatory bail to the



4.The learned Government Advocate (Crl.Side) appearing for the respondent police submitted that Accident Register copy has not been received sofar. Insofar as the 307 IPC is concerned, it has been mentioned in the First Information Report that one cell phone 2 ½ sovereigns of gold chain were taken away by the petitioners. But, recovery has not been made sofar.

5.Considering the facts and circumstances of the case and also considering the fact that it is a dispute between the parties with regard to the grazing of cattle in the field, which is not a major issue between them and no previous case is pending against the petitioners, this Court is inclined to grant anticipatory bail to the petitioners.

6. Accordingly, this Criminal Original Petition is allowed on condition that the petitioners shall deposit a sum of Rs.10,000/- (Rupees Ten Thousand Only) to the credit of Crime No.296 of 2021 before the trial Court concerned, without prejudice to their rights and contentions before the trial Court.

7.On such deposit being made, the petitioner is ordered to be released on bail in the event of arrest or on their appearance, before the learned Judicial Magistrate No.I, Sivagangai, Sivagangai 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 learned Magistrate concerned and the petitioners shall appear before the respondent police daily at 10.30 a.m. until further orders. The petitioners shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously.

8. 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/-
23/12/2021

/ TRUE COPY /

/ /2022
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 NO.I,
SIVAGANGAI,
SIVAGANGAI DISTRICT.
2. DO-THROUGH THE CHIEF JUDICIAL MAGISTRATE,
SIVAGANGAI DISTRICT.
3. THE INSPECTOR OF POLICE,
MADAGUPATTY POLICE STATION,
SIVAGANGAI DISTRICT.
4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER
IN
CRL OP(MD) No.18177 of 2021
Date :23/12/2021

DSS
MS/JM/SAR-3/05.01.2022/3P.5C