



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 07/12/2021

WEB COPY

PRESENT

The Hon'ble Mr.Justice G.ILANGO VAN

CRL OP(MD) . No.19360 of 2021

1. A.Kandasamy
2. K.Muniyasamy
3. Lakshmi
4. Nagammal

... Petitioners/Accused

Vs

State rep.by
The Inspector of Police,
Irukkankudi Police Station,
Virudhunagar District.
(Crime No.129 of 2021).

... Respondent/Complainant

For Petitioners: M/s.Jeyaram A, Advocate.

For Respondent : M/s.SS.Madhavan,
Government Advocate (Crl.Side)

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

PRAYER :-

For Anticipatory Bail in Crime No.129 of 2021 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioners/Accused No.1 to 4, apprehending arrest at the hands of the respondent police for the alleged offence punishable under Sections 294(b), 323, 324, 354, 506(ii) I.P.C. and Section 4 of TN Prohibition of Harassment of Women Act, 2002, in Crime No.129 of 2021 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that when the defacto complainant asked the petitioners to remove the toilet placed in the pathway, quarrel arose between them, due to which the petitioners assaulted the defacto complainant and her family members. 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.

4. The learned Government Advocate (Crl. Side) for the respondent police submitted that there is a land dispute between the parties. The injured sustained simple injuries and discharged from the hospital. There is a case in counter case has been registered.

5. Considering the nature of offence, the overt act attributed against the petitioners, the injured person has been discharged from the hospital and the injury is simple in nature, this Court is inclined to grant anticipatory bail to the petitioners.

6. Accordingly, this Criminal Original Petition is allowed and the petitioners are ordered to be released on bail in the event of arrest or on their appearance, before the learned Judicial Magistrate, Sattur, 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.

7. 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/-
07/12/2021

/ TRUE COPY /

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

TM

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.



1. THE JUDICIAL MAGISTRATE, SATTUR.

2. -DO-THROUGH

THE CHIEF JUDICIAL MAGISTRATE,
VIRUTHUNAGAR DISTRICT AT SRIVILLIPUTHUR.

3. THE INSPECTOR OF POLICE,
IRUKKANKUDI POLICE STATION,
VIRUDHUNAGAR DISTRICT.

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

+1 CC to M/s.A.JEYARAM, Advocate (SR-8920[I] dated 07/12/2021)

ORDER

IN

CRL OP(MD) No.19360 of 2021

Date :07/12/2021

TR/VR/SAR-I (20/12/2021) 3P/6C