



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 09/12/2021
PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD) . No.19430 of 2021

1. M.Rajenderan A-1
2. R.Pallaniyammal A-2
3. D.Mariyammal A-3
4. G.Balaji A-4
5. G.Jeyakumar A-5 ... Petitioners/Accused Rank 1-5

Vs

The State rep.by
The Inspector of Police,
Sivakasi Town Police Station,
Virudhunagr District.
(Cr.No. 163 of 2021). ... Respondent/Complainant

For Petitioners: Mr.E.MAREES KUMAR,
Advocate.

For Respondent : Mr.SS.MADHAVAN,
Government Advocate (Crl.Side)

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

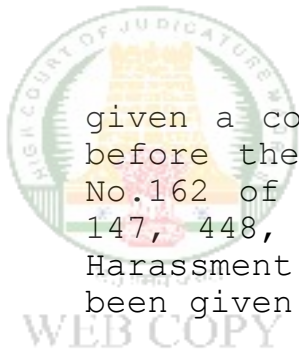
PRAYER :- For Anticipatory Bail in Crime No.163 of 2021 on the file of the respondent Police.

ORDER : The Court made the following order :-

The petitioners/Accused No.1 to 5, apprehending arrest at the hands of the respondent police for the alleged offence punishable under Sections 294(b), 147, 323, 324, 379, 506(ii) of IPC and Section 4 of TN Prohibition of Harassment of Women Act, 2002 in Crime No.163 of 2021 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that on 04.04.2021, when the petitioners gave money to the voters for the assembly election, the defacto complainant questioned the same. At that the petitioners assaulted the defacto complainant and her relatives. 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. There is a case in counter case. The first petitioner



given a complaint as against the father of the defacto complainant before the respondent police and the same was registered in Crime No.162 of 2021 for the offences punishable under Sections 294(b), 147, 448, 323, 506(ii) of IPC and Section 4 of TN Prohibition of Harassment of Women Act, 2002. Therefore, the present complaint has been given by the defacto complainant.

4. The learned Government Advocate (Crl. Side) for the respondent police submitted that there is a land dispute between the parties. There was a dispute between the parties in distributing the money during the Panchayat Election. Both parties in this case sustained injuries. He would further submit that after registering the FIR there was compromise reached between them.

5. Considering the nature of offence, the overt act attributed against the petitioners, both parties sustained injuries in this case and the fact that after registering the FIR there was a compromise reached between the parties, 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 No.I, Sivakasi, 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/-

09/12/2021

/ 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 NO.I
SIVAKASI

2 DO-THROUGH : THE CHIEF JUDICIAL MAGISTRATE,
VIRUTHUNAGAR DISTRICT AT SRIVILLIPUTHUR.

3 THE INSPECTOR OF POLICE
SIVAKASI TOWN POLICE STATION,
VIRUDHUNAGR DISTRICT.

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

ORDER

IN

CRL OP(MD) No.19430 of 2021

Date :09/12/2021

SA/PN/SAR.2/14.12.2021/3P/5C