



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.19434 of 2021

1.P.Ramar
2.R.Mahendran

... Petitioners/Accused No.1&2

Vs

State Rep.by
The Inspector of Police,
Krishnankovil Police Station,
Krishnankovil,
Virudhunagar District.
(Cr.No. 186 of 2021).

... Respondent/Complainant

For Petitioners: M/s. Mahalingam.S.,
Advocate.

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

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

PRAYER :-

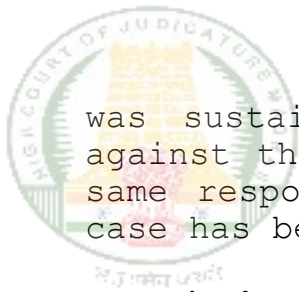
For Anticipatory Bail in Crime No.186 of 2021 on the file of the respondent Police.

ORDER : The Court made the following order :-

The petitioners/Accused No.1 and 2, apprehending arrest at the hands of the respondent police for the alleged offence punishable under Sections 294(b), 323 IPC and Section 4 of Tamil Nadu Prohibition of Women Harassment Act in Crime No.186 of 2021 on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that due to the previous common wall dispute between the parties, the petitioners abused the defacto complainant in filthy language and assaulted him.

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. Since the defacto complainant and his family attacked the 1st petitioner's wife, who



was sustained bone fracture injury, a case has been registered against the defacto complainant in Crime No.185 of 2021 before the same respondent police. Hence, due to wreck vengeance, this false case has been foisted against the petitioners.

4.The learned Government Advocate (Crl. Side) for the respondent police submitted that there is a land dispute between the parties. No one has sustained injury in this case. There is a case in counter case.

5.Considering the fact that it is a dispute between the neighbours and no one has sustained injuries, 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.II, Srivilliputhur, Virudhunagar 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.

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.II, Srivilliputhur.

2.Do-Through The Chief Judicial Magistrate,
Virudhunagar District.

3.The Inspector of Police,
Krishnankovil Police Station,
Krishnankovil, Virudhunagar District.

4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1. CC to M/S. MAHALINGAM.S. Advocate SR.No.9174

ORDER

IN

CRL OP(MD) No.19434 of 2021

Date :09/12/2021

RS/PN/SAR2(14.12.2021) 3P-6C