



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.19454 of 2021

1. P.Charles Jegan
2. S.Mariapushpam
3. Jemila Joseline

... Petitioners/Accused Nos.1 to 3

Vs

The State rep.by
The Inspector of Police,
Dindigul Taluk Police Station,
Dindigul District.
Cr.No.1224 of 2021.

... Respondent/Complainant

For Petitioners: Mr.D.SHANMUGARAJA SETHUPATHI,
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.1224 of 2021 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioners/Accused, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 324, 506(2) IPC, in Crime No.1224 of 2021, seek anticipatory bail.

2.The case of the prosecution is that there was dispute between two neighbours, on 21.11.2021 at about 09.00PM, the first petitioner assaulted the *defacto* complainant with sickle and the second and third petitioners had pelted stones on him. Hence, the complaint.

3.The learned counsel for the petitioners would submit that the *defacto* complainant instigated the wife of the first petitioner to demand the property, which was standing in the name of second petitioner. Because of that some dispute arose between them. In fact, the first petitioner sustained fracture and grievous injury and respect of which, case in counter was registered in Crime No.1223 of 2021 against the *defacto* complainant and party. He would further submit that in the case in counter, the *defacto* complainant has not yet moved for anticipatory bail and that the injured was



discharged from the hospital. Hence, prays to release them on anticipatory bail.

4.The learned Government Advocate (Crl.Side) appearing for the respondent would submit that the investigation is not yet completed, that the injured was discharged from the hospital and that case in counter was registered by the petitioners against the *defacto* complainant and party.

5.Considering the facts and circumstances of this case, that there was dispute between two neighbours regarding the family affairs, that the case in counter was registered by the petitioners against the *defacto* complainant and party and that the injured was discharged from the hospital, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

6.However, considering the age of the second petitioner and the first petitioner was discharged from the hospital only on 08.12.2021, who sustained fracture, this Court is inclined not to impose condition against the first and second petitioner.

7.Accordingly, the petitioners are ordered to be released on bail in the event of arrest or their appearance, before the learned Judicial Magistrate No.I, Dindigul and on their executing 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 third petitioner shall appear before the respondent police daily at 10.30 am for a period of one month and thereafter, as and when required for interrogation. The petitioners shall comply with the conditions stipulated under Section 438 Cr.P.C. scrupulously.

8.The petitioners shall appear before the concerned Magistrate within a period of fifteen 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
DINDIGUL

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
DINDIGUL DISTRICT.

3 THE INSPECTOR OF POLICE,
DINDIGUL TALUK POLICE STATION,
DINDIGUL DISTRICT.

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

+1. CC to M/S.D.SHANMUGARAJA SETHUPATHI, Advocate SR.No.9169

ORDER

IN

CRL OP(MD) No.19454 of 2021

Date :09/12/2021

MK/PN/SAR-III/14.12.2021/3P/6C