



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 15/12/2021

WEB COPY

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD) . No.20012 of 2021

1. R.Shanmugasundari,

2. S. Krishnan @ Kittupillai ... Petitioners/Accused No.2&4

Vs

The State Rep. By
The Inspector of Police,
Thiruchendur Temple Police Station,
Thiruchendur,
Thoothukudi District.
(Crime No.148/2021).

... Respondent/Complainant

For Petitioners: M/s.Karthick R J,
Advocate.

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

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

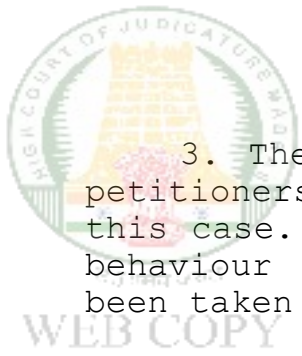
PRAYER :-

For Anticipatory Bail in Crime No.148 of 2021 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioners/Accused No.2 and 4, apprehending arrest at the hands of the respondent police for the alleged offence punishable under Sections 294(b), 323, 342, 506(ii) IPC and Section 4 of TN Prohibition of Harassment of Women Act, 2002, in Crime No.148 of 2021 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that on 10.12.2021, the accused persons way laid the defacto complainant and attacked him with dire consequences. When the same was questioned by his mother, she was also assaulted by the accused persons. 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. Because of the indecent behaviour of the defacto complainant, the occurrence said to have been taken place.

4. The learned Government Advocate (Crl. Side) for the respondent police submitted that there is a business dispute between the petitioner and the defacto complainant. The injured in this case has been discharged from the hospital and no previous case is pending against the petitioners.

5. Considering the fact that it was a rival dispute between the business people and the injured person in this case has been discharged from the hospital, 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, Tiruchendur, 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/-
15/12/2021

/ TRUE COPY /

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

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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,
TIRUCHENDUR.

2. DO-THROUGH : THE CHIEF JUDICIAL MAGISTRATE,
THOOTHUKUDI DISTRICT.

3. THE INSPECTOR OF POLICE,
THIRUCHENDUR TEMPLE POLICE STATION,
THIRUCHENDUR,
THOOTHUKUDI DISTRICT.

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

+1 CC to M/s.R.J.KARTHICK, Advocate (SR-9333[I] dated 16/12/2021)

ORDER

IN

CRL OP(MD) No.20012 of 2021

Date :15/12/2021

SB/CN/SAR-IV/23.12.2021/3P/6C