



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Date : 17/12/2021

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.20220 of 2021

1. Renjish
2. Sajee

... Petitioners/Accused No.1 & 2

Vs

State Rep.by
The Inspector of Police,
Thuckalay Police Station,
Kanyakumari District.
Crime No.760 of 2021.

... Respondent/Complainant

For Petitioners: Mr.M.Punitha Devakumar, Advocate.
For Respondent : Mr.S.Mankandan,
Government Advocate (Crl.Side)

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

PRAYER :-

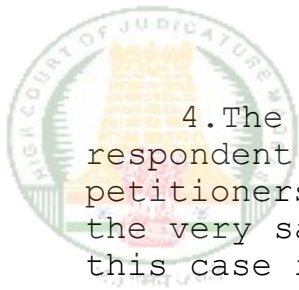
For Anticipatory Bail in Crime No.760 of 2021 on the file of the Respondent police.

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 294 (b), 323, 324, 506(ii) IPC, in Crime No.760 of 2021, seek anticipatory bail.

2.The case of the prosecution is that due to pathway dispute between the parties, on 22.11.2021 at about 6.45AM, while the *defacto* complainant was tapping his rubber trees, the accused persons went there and abused in filthy language, assaulted him. Hence, the complaint.

3.The learned counsel for the petitioners would submit that there was civil dispute, with regard to the pathway between the parties and it is a case in counter, based upon the complaint given by the petitioners, the counter case was registered in Crime No.759 of 2021 against the *defacto* complainant party and that injured was treated as out patient in the incident. Hence, prays to release them on anticipatory bail.



4.The learned Government Advocate (Crl.Side) appearing for the respondent would submit that based upon the complaint given by the petitioners, case in counter was registered in Cr.No.759 of 2021 for the very same offences, against the defacto complainant party and in this case injured was treated as out patient.

5.Reading of the FIR shows that there was civil dispute with regard to the pathway between the parties and due to which, on 22.11.2021, at about 6.45AM, trouble arose between them and both the groups assaulted each other with weapons and both parties sustained injuries. In this case, the injured was treated as out patient.

6.Considering the facts and circumstances of this case, nature of dispute between the parties, that injured was treated as out patient and it is a case in counter, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

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, Padmanabapuram 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 petitioners 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/-
17/12/2021

/ 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,
PADMANABAPURAM.

<https://hcservices.ecourts.gov.in/hcservices/>



2. DO-THROUGH THE CHIEF JUDICIAL MAGISTRATE,
KANYAKUMARI DISTRICT AT NAGERCOIL.
3. THE INSPECTOR OF POLICE,
THUCKALAY POLICE STATION, KANYAKUMARI DISTRICT.
4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.M.PUNITHA DEVA KUMAR, Advocate (SR-9452[I] dated 17/12/2021)

ORDER
IN
CRL OP(MD) No.20220 of 2021
Date :17/12/2021

PNM
MS/JC/SAR-4/21.12.2021/3P.6C