



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 17/12/2021

WEB COPY

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.20213 of 2021

1. Muthupandi,
2. G.Venkatachalam,
3. V.Muthuganesh Devan,
4. G.Raja, ... Petitioners/Accused No. 1 to 4

Vs

State Rep by,
The Inspector of Police,
Aaravayal Police Station,
Sivagangai District.
Cr.No. 141 of 2021.

... Respondent/Complainant

For Petitioners: Mr.S.Sadeskumar, Advocate.

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

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

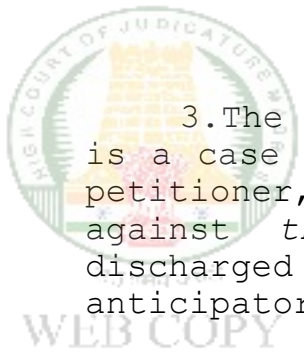
PRAYER :-

For Anticipatory Bail in Crime No.141 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(i) IPC, in Crime No.141 of 2021, seek anticipatory bail.

2.The case of the prosecution is that on 13.12.2021, the petitioners had abused the *defacto* complainant and his relatives in filthy language and criminally intimidated them with dire consequences. Hence, the complaint.



3.The learned counsel for the petitioners would submit that it is a case in counter, based upon the complaint given by the second petitioner, the counter case was registered in Crime No.142 of 2021 against the defacto complainant party and that injured was discharged 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 second petitioner, case in counter was registered in Cr.No.142 of 2021 for the offences under Sections 294(b), 323, 324, 506(ii) IPC, against the defacto complainant party and in both the cases injured were discharged from the hospital.

5.Reading of the FIR shows that on 13.12.2021 at about 07.15AM, the accused persons questioned the defacto complainant, why he abused the Anjaneyar Temple Priest and the same was objected by the defacto complainant. Due to which, the accused persons were abused him in filthy language and assaulted him.

6.Considering the facts and circumstances of this case, nature of dispute between the parties, that injured was discharged from the hospital 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, Devakottai 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.

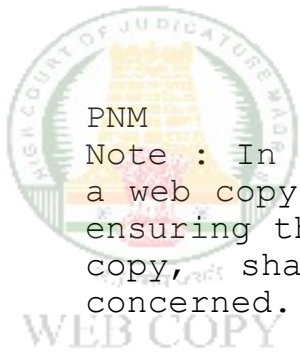
sd/-

17/12/2021

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



PNM

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,
DEVAKOTTAI.
- 2 DO THROUGH:
THE CHIEF JUDICIAL MAGISTRATE,
SIVAGANGAI DISTRICT.
- 3 THE INSPECTOR OF POLICE,
AARAVAYAL POLICE STATION,
SIVAGANGAI DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to MR.S.SADESH KUMAR, Advocate (SR-9431[I] dated 17/12/2021)

ORDER
IN
CRL OP(MD) No.20213 of 2021
Date :17/12/2021

PKP/JM/SAR-2/22.12.2021/3P/6C