



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 20/12/2021

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP (MD) . No.20257 of 2021

1. Pitchaimuthu
2. Sairam Kannan

... Petitioners/Accused No.1& 2

Vs

State rep.by
The Inspector of Police,
Kollidam Police Station,
Trichy District.
(Crime No.404 of 2021).

... Respondent/Complainant

For Petitioners: M/s.Suresh M, Advocate.

For Respondent : M/s.SS.Madhavan,
Government Advocate (Crl.Side)

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

PRAYER :-

For Anticipatory Bail in Crime No.404 of 2021 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioners/Accused No. 1 & 2, who apprehend arrest at the hands of the respondent police for the offence punishable under sections 294(b), 323, 324 & 506(ii) of IPC r/w Section 4 of Tamil Nadu Prohibition of Women Harassment Act, in Crime No.404 of 2021, on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that the defacto complainant namely, Pradeevkannan is the son of the first petitioner and brother of the second petitioner. Because of love marriage performed by him, there was a frequent trouble between the parties. On 09.12.2021, at about 10.00 a.m, the petitioners assaulted the defacto complainant and abused him with filthy language and caused injuries. Similarly,



his wife was also assaulted by the second petitioner. Hence, the complaint.

3.The learned counsel for the petitioners would submit that the petitioners are innocent and they have not committed any offence as alleged by the prosecution. Hence, he seeks anticipatory bail to the petitioners.

4.The learned Government Advocate (Crl.Side) would submit that the injured was discharged from the hospital. But, insofar as the defacto complainant is concerned, she sustained severe injuries on the forehead and 7 stitches have been performed.

5.The learned counsel for the petitioners would submit that in respect of the above said occurrence, the first petitioner also given a complaint before the respondent police and they issued a receipt in C.S.R.No.461 of 2021. But, no action has been taken sofar.

6.It is seen that it is a dispute between the father and the son over the alleged love marriage performed by the defacto complainant.

7.Considering the facts and circumstances of the case and also considering the fact that the injured was discharged from the hospital and the counter complaint given by the first petitioner against the defacto complainant, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

8.Accordingly, the petitioners are ordered to be released on bail, on executing a personal bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties each for a like sum to the satisfaction of the learned Additional Mahila Court, Trichy, and on further condition that the first petitioner is being Government Servant, he shall report before the respondent police once in a week at 10.30 a.m on every sunday, and the second petitioner is concerned, he shall report before the respondent police daily at 10.30 a.m, until further orders and thereafter as and when required for interrogation. The petitioners shall comply with the condition stipulated under Section 438 Cr.P.C scrupulously.

Sd/-
20/12/2021

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/ /2021

Sub-Assistant Registrar (C.S.III)
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 ADDITIONAL MAHILA COURT,
TRICHY.
2. THE INSPECTOR OF POLICE,
KOLLIDAM POLICE STATION,
TRICHY DISTRICT.
3. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER
IN
CRL OP(MD) No.20257 of 2021
Date :20/12/2021

SP/JM/SAR III/23/12/2021/3P/4C