



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 20/12/2021

WEB COPY

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD) . No.20301 of 2021

1. N.Palpandi,
2. P.Manikandan,
3. Naga Jothi,
4. P.Nivetha, ... Petitioners/Accused No.1, 3 to 5

Vs

State Rep. By
The Inspector of Police,
D2 Sellur Police Station,
Sellur, Madurai.
Cr.No.981 of 2021. ... Respondent/Complainant

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

For Respondent : Mr.SS.Madhavan,
Government Advocate (Crl.Side)

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

PRAYER :-

For Anticipatory Bail in Crime No. 981 of 2021 on the file of the Respondent police.

ORDER : The Court made the following order :-

The petitioners/Accused No.1, 3 to 5 who apprehend arrest at the hands of the respondent police for the offence punishable under sections 294(b), 323, 442, 506(i) r/w 109 IPC and Section 4 of TNPHW Act, in Crime No.981 of 2021 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that on 01.12.2021, at about 3.00 pm, the petitioners and the other accused said to have trespassed into the house of the defacto complainant and picked up quarrel with her and his husband. Immediately, the defacto



complainant lodged a complaint before the respondent police. On the very same day at evening, the petitioners and the other accused again trespassed into the house of the defacto complainant and again picked up quarrel with them and abused them with filthy language and also made attack upon them. Hence, this complaint.

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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. He would further submit that since it is a case and case in counter and no one has sustained injury in this matter, he seeks anticipatory bail to the petitioners.

4.The learned Additional Public Prosecutor would submit that no one has been sustained injury in this matter and it is a case and case in counter and based upon the complaint given by the petitioners, a case in Crime No.980 of 2021 for the offence under Sections 147, 294(b), 323, 324, 355, 427, 506(i) and 379 of IPC was registered against the defacto complainant and he was granted anticipatory bail by this Court, in Crl.OP(MD)No.19562 of 2021, dated 10.12.2021.

5.Considering the facts and circumstances of the case and also considering the fact that the counter complaint complaint has been registered against the defacto complainant and no one has sustained injury in this matter, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

6.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) each with two sureties each for a like sum to the satisfaction of the learned Judicial Magistrate No.II, Madurai, and on further condition that the petitioners shall report before the respondent police once in a week at 10.30 a.m. on every Sunday until further orders. The petitioners shall comply with the condition stipulated under Section 438 Cr.P.C scrupulously.

sd/-
20/12/2021

/ TRUE COPY /

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

DSS

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, 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.II,
MADURAI.

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

3.THE INSPECTOR OF POLICE,
D2 SELLUR POLICE STATION,
SELLUR, MADURAI.

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

+1 CC to M/s.M.AJMAL KHAN, Advocate (SR-9501[I] dated 20/12/2021)

ORDER

IN

CRL OP(MD) No.20301 of 2021

Date :20/12/2021

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