



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

Date : 23/12/2021

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.20741 of 2021

Manikandan ... Petitioner/Accused No.2

Vs

State Rep.by
The Inspector of Police,
Thiruthangal Police Station,
Virudhunagar District.
(Crime No.571 of 2021)

... Respondent/Complainant

For Petitioner : Mr.R.Rajamohan,
Advocate.

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

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

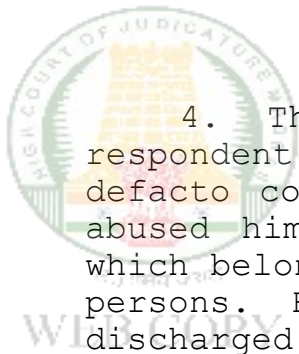
PRAYER :- For Anticipatory Bail in Crime No.571 of 2021 on the file of the respondent Police.

ORDER : The Court made the following order :-

The petitioner/Accused No.2, apprehending arrest at the hands of the respondent police for the alleged offence punishable under Sections 147, 148, 294(b), 323, 427 & 506(ii) of IPC, in Crime No.571 of 2021 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that due to money dispute between the accused and the defacto complainant, on 10.12.2021, at about 03.30 p.m, the defacto complainant and his friend said to have snatched two mobile phones from the accused persons for loan amount. On the very same day, at about 09.00 p.m, the accused persons said to have abused the defacto complainant in filthy language and also attacked each other. Hence, the complaint.

3. The learned counsel for the petitioner submitted that the petitioner is innocent and he has been falsely implicated in this case. He would further submit that it is a case and case in counter and the petitioner herein is still in hospital and the injured was discharged from the hospital. Hence, he seeks anticipatory bail to



4. The learned Government Advocate (Crl. Side) for the respondent police submitted that the two persons assaulted the defacto complainant and demanded the snatched cell phone and also abused him in filthy language and in that process, two wheeler, which belongs to the defacto complainant also damaged by the accused persons. He would further submit that the injured person was discharged from the hospital and the petitioner has also sustained injury in that occurrence and he is still in hospital.

5. Considering the facts and circumstances of the case and also considering the fact that the injured was discharged from the hospital, that the petitioner is still in hospital and that it is a case and case in counter, this Court is inclined to grant anticipatory bail to the petitioner.

6. Accordingly, this Criminal Original Petition is allowed and petitioner is ordered to be released on bail in the event of arrest or on his appearance, before the learned Judicial Magistrate Court No.II, Sivakasi, on condition that the petitioner shall execute a 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 Magistrate concerned and the petitioner shall appear before the respondent police daily at 10.30 a.m. until further orders. The petitioner shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously.

7. The petitioner 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/-
23/12/2021

/ TRUE COPY /

/ /2022
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

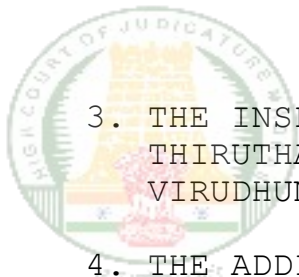
Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

TO

1. THE JUDICIAL MAGISTRATE NO.II,
SIVAKASI.

2. DO-THROUGH THE CHIEF JUDICIAL MAGISTRATE,
SRIVILIPUTTUR DISTRICT AT SRIVILIPUTTUR.

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



3. THE INSPECTOR OF POLICE,
THIRUTHANGAL POLICE STATION,
VIRUDHUNAGAR DISTRICT.

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

+1 CC to M/s.R.RAJAMOHAN, Advocate (SR-9711[I] dated 23/12/2021)

ORDER

IN

CRL OP(MD) No.20741 of 2021

Date :23/12/2021

DSS

MS/JM/SAR-3/05.01.2022/3P.6C