



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 29/12/2021
PRESENT

The Hon`ble Mrs.Justice S.ANANTHI

CRL OP(MD). No.20947 of 2021

1. C.S.Viswanath
2. Balachandran
3. Ramesh Kumar

... Petitioners/Accused Nos.1 to 3

Vs

The State rep.by,
The Inspector of Police,
Nachiyar Kovil Police Station, Thanjavur District.
In Crime No.1148 of 2021.

... Respondent/Complainant

For Petitioner : Mr.C.Suresh Kannan, Advocate.

For Respondent : Mr.K.Sanjai Gandhi,
Government Advocate (Crl.Side)

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

PRAYER :-For Anticipatory Bail in Crime No.1148 of 2021 on the file of the Respondent Police.

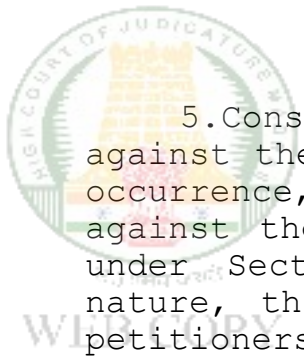
ORDER : The Court made the following order :-

The petitioners/Accused No.1 to 3, apprehending arrest at the hands of the respondent police for the alleged offence punishable under Sections 294(b) and 506(ii) IPC, in Crime No.1148 of 2021 on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that on 14.12.2021 at about 08.30 p.m., while the de-facto complainant was proceeding in his car near Marudanallur Bazaar, the petitioners had restrained his vehicle and thereafter, the occupants who were the residents of greenwoods had abused him in filthy language and threatened him with dire consequences. Hence, the complaint.

3.The learned counsel for the petitioners submitted that the petitioners are innocents and they have been falsely implicated in this case.

4.The learned Government Advocate (Crl. Side) for the respondent police submitted that no one has sustained injury in the alleged occurrence and no previous case is pending against the petitioners herein. There is a case in counter case has been



5.Considering the nature of offence, the overt act attributed against the petitioners, no one has sustained injury in the alleged occurrence, the counter case in crime No.1147 of 2021 is pending against the de-facto complainant and other and except the offence under Section 506(ii) IPC, all other offences are bailable in nature, this Court is inclined to grant anticipatory bail to the petitioners.

6.Accordingly, this Criminal Original Petition is allowed and the petitioners are ordered to be released on bail in the event of arrest or on their appearance, before the learned Judicial Magistrate No.II, Kumbakonam on condition that the petitioners shall execute 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 evening at 06.00 p.m., for a period of thirty days and thereafter, as and when required for interrogation. The petitioners shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously.

7.The petitioners 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/-
29/12/2021

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/ /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, KUMBAKONAM.
- 2 DO-THROUGH THE CHIEF JUDICIAL MAGISTRATE,
THANJORE DISTRICT AT KUMBAKONAM.
- 3 THE INSPECTOR OF POLICE
NACHIYAR KOVIL POLICE STATION, THANJAVUR DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- +1. CC to Mr.C.SURESH KANNAN, Advocate SR.No.9834.

ORDER IN
CRL OP(MD) No.20947 of 2021
Date :29/12/2021

cp

<https://hccvceshiv.org/In/Case/01.2022/2P/6C>