



WEB COPY

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.21062 of 2021

1. Vasuki
2. Suryaprakash

... Petitioners/Accused Nos.1 & 2

Vs

State rep.by
The Inspector of Police,
Muthukulathur Police Station,
Ramanathapuram District.
(Crime No.435 of 2021).

... Respondent/Complainant

For Petitioners : M/s.Mahendrarajan B, Advocate.

For Respondent : M/s.Sanjai Gandhi
Government Advocate (Crl.Side)

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

PRAYER :-

For Anticipatory Bail in Crime No.435 of 2021 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioners, apprehending arrest at the hands of the respondent police for the alleged offence punishable under Sections 448, 294(b), 323 and 506(i) I.P.C, and Section 4 of Women Harassment Act, in Crime No.435 of 2021 on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that the defacto complainant and the petitioners are neighbors. On 21.12.2021, when the petitioners damaged the defacto complainant's pipeline, there was a wordy quarrel between the two. Hence, the complaint.



3.The learned counsel for the petitioners submitted that the petitioners are innocent and they have been falsely implicated in this case. He further submitted that the petitioners had preferred a complaint against the defacto complainant, which has been registered in Crime No.436 of 2021, since it is a case in counter case.

4.The learned Government Advocate (Crl. Side) for the respondent police submitted that the injured persons were treated as out patient.

5.Considering the nature of offence, the overt act attributed against the petitioners, the injured persons were treated as out patient 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 petitioner.

6. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance before the learned Judicial Magistrate, Muthukulathur, Ramanathapuram District, 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 on further condition that the petitioners shall appear before the respondent police daily at 10.30 a.m., for a period of 30 days. The petitioners shall comply with the conditions 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 shall stand dismissed.

Sd/-
29/12/2021

/ TRUE COPY /

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

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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.



1. THE JUDICIAL MAGISTRATE,
MUTHUKULATHUR, RAMANATHAPURAM DISTRICT.

2. -DO- THROUGH
THE CHIEF JUDICIAL MAGISTRATE,
RAMANATHAPURAM DISTRICT.

3. THE INSPECTOR OF POLICE,
MUTHUKULATHUR POLICE STATION,
RAMANATHAPURAM DISTRICT.

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

ORDER
IN
CRL OP (MD) No.21062 of 2021
Date :29/12/2021

SP/JM/SAR II/03/01/2022/3P/5C