



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.21110 of 2021

WEB COPY

1. Sundarraaj
2. Esakkiappan
3. Mahendran
4. Arun

... Petitioners/Accused Nos.1 to 4

Vs

The State rep.by
The Inspector of Police,
Thirukkurungudi Police Station,
Tirunelveli District.
Cr.No. 227 of 2021.

... Respondent/Complainant

For Petitioners: Mr.A.MOHAN, 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.227 of 2021 on the file of the Respondent Police.

ORDER : The Court made the following order :-

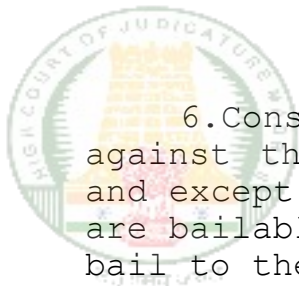
Heard the learned counsel appearing for the petitioners and the learned Government Advocate(Crl. Side) appearing for the respondent.

2. The petitioners apprehending arrest at the hands of the respondent police for the offences punishable under sections 447, 294(b), 323, 506(ii) of I.P.C., and Section 4 of Tamil Nadu Prohibition of Harassment of Women Act in Crime No.227 of 2021 on the file of the respondent police, seek anticipatory bail.

3.The case of the prosecution is that on 13.12.2021 at about 09.00 pm., the petitioners illegally trespassed into the house of the defacto complainant and attacked him with bare hands and also criminally intimidated the husband of the complainant with dire consequences. Hence, the complaint.

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

5.The learned Government Advocate (Crl. Side) for the respondent police submitted that the injured persons have been discharged. A1 is having one previous case in the year 2014. A3 is having three previous cases and the same was registered in the year 2019. They are simple in nature.



6.Considering the nature of offence, the overt act attributed against the petitioners, the injured persons have been discharged 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.

7. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance before the learned Judicial Magistrate, Valliyur 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.

8. 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.)
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, VALLIYUR.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, TIRUNELVELI DISTRICT.
- 3 THE INSPECTOR OF POLICE,
THIRUKKURUNGUDI POLICE STATION, TIRUNELVELI DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER IN

CRL OP(MD) No.21110 of 2021
Date :29/12/2021

SA/JC/SAR.2/03.01.2022/2P/5C