



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.21096 of 2021

Ganapathi ... Petitioner/ Accused Rank Not Known

Vs

The State rep.by,  
The Inspector of Police,  
Tiruchendur Taluk Police Station, Thoothukudi District.  
(Crime No.482 of 2021) ... Respondent/Complainant

For Petitioner : Mr.D.S.Haroon Rasheed, 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.482 of 2021 on the file of the respondent police.

ORDER : The Court made the following order :-

Heard the learned counsel for the petitioner and the learned Government Advocate (Crl.side) for the respondent.

2.The petitioner, apprehending arrest at the hands of the respondent police for the alleged offence punishable under Sections 294(b), 427, 323 and 506(ii) I.P.C, in Crime No.482 of 2021 on the file of the respondent police, seeks anticipatory bail.

3.The case of the prosecution is that the petitioner is the son of the defacto complainant. The property belongs to the defacto complainant's husband. Subsequently, the same was executed in favour of the defacto complainant. Thereafter, the petitioner was in possession of the property. On 26.12.2021 at about 11.30 a.m., when the defacto complainant asked him to vacate the property, in order to grab the property, the petitioner used abusive language and assaulted her with criminal intimidation. Hence, the complaint.

4.The learned counsel for the petitioner submitted that the petitioner is innocent and he has been falsely implicated in this case.

5.The learned Government Advocate (Crl. Side) for the respondent police submitted that the injured person has been discharged from the hospital. There is no previous case pending against the petitioner.



6.Considering the nature of offence, the overt act attributed against the petitioner, the injured person has been discharged from the hospital 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.

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7.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, Tiruchendur 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 Mattuthavani Police Station, Madurai, daily at 10.30 a.m. for a period of thirty days. 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/-

29/12/2021

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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,  
TIRUCHENDUR.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE  
THOOTHUKUDI DISTRICT.
- 3 THE INSPECTOR OF POLICE  
TIRUCHENDUR TALUK POLICE STATION,  
THOOTHUKUDI DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,  
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER

IN

CRL OP(MD) No.21096 of 2021

Date :29/12/2021

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<https://hmcsls.gov.in/Case/01.01.2022/3P/5C>