



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 07.01.2022
PRESENT

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The Hon'ble Mrs.Justice R.THARANI
CRL OP(MD) . No.91 of 2022

1.Velmurugan
2.Moorthy @ Ayyanar
3.Sivaraj

... Petitioners/Accused Nos.1 to 3
Vs.

State Rep. by
The Inspector of Police,
Madagupatty Police Station,
Sivagangai District.
(Crime No.3 of 2022).

... Respondent/Complainant

For Petitioner : Mr.R.Balamuruganantham,
Advocate.
For Respondent : Mr.S.Manikandan
Government Advocate

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

PRAYER :-

For Anticipatory Bail Crime No.3 of 2022 on the file of the
Respondent Police.

ORDER : The Court made the following order :-

The petitioners/Accused Nos.1 to 3, apprehending arrest at the hands of the respondent police for the alleged offence punishable under Sections 294(b), 341, 323 and 506(i) of I.P.C., in Crime No.3 of 2022 on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that the petitioners waylaid the defacto complainant and scolded him in filthy language and thereby, the petitioners attacked the defacto complainant and criminally intimidated him. Due to which, the defacto complainant sustained injuries. Therefore, the present case came to be registered.

3.The learned counsel for the petitioners submitted that the petitioners and the defacto complainant are relatives. There was only a wordy quarrel between them. The alleged occurrence has taken place on 31.12.2021. But the FIR was registered only on 02.01.2022. There was delay in filing the FIR. The defacto complainant did not sustain any injury and prayed to grant anticipatory bail to the



4.The learned Government Advocate (Crl. Side) for the respondent police submitted that the petitioner caused only simple injury to the defacto complainant and the defacto complainant was treated as 'out patient' and he objected to grant anticipatory bail to the petitioners.

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5.Considering the nature of offence and the injuries are simple in nature and considering the submissions made by both the counsel, 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.I, Sivagangai District, 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 trial Court weekly once (I.e.on every Wednesday) at 10.30 a.m. until further orders. 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/-

07/01/2022

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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.I,
SIVAGANGAI DISTRICT.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
SIVAGANGAI DISTRICT.

3 THE INSPECTOR OF POLICE
MADAGUPATTY POLICE STATION,
SIVAGANGAI DISTRICT.

<https://hcserv8.sivagangai.nic.in/ncservlet>



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

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ORDER

IN

CRL OP(MD) No.91 of 2022

Date : 07/01/2022

SS/VR/SAR-III/12.01.2022 : 3P/5C