



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Date : 07/01/2022

PRESENT

The Hon'ble Mrs. Justice R. THARANI

CRL OP(MD). No.258 of 2022

1. PERUMAL @ UMANATH
2. PRABAKARAN
3. CHANDRASEKARAN @ SEKAR ... PETITIONERS/ACCUSED NO.1 TO 3

VS

THE STATE REP. BY,
THE INSPECTOR OF POLICE,
MUTHIAHPURAM POLICE STATION,
THOOTHUKUDI DISTRICT.
(CRIME NO.2/2022).

... RESPONDENT/COMPLAINANT

For Petitioners : M/s. Maran M,
Advocate.
For Respondent : Mr. R. M. S. Sethuraman,
Additional Public Prosecutor

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

PRAYER :-

For Anticipatory Bail in Crime No. 02 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 offences punishable under sections 427, 506(ii) of I.P.C., in Crime No.02 of 2022 on the file of the respondent police, seek anticipatory bail.

2.The case against the petitioners is that on 01.01.2022 at about 11.00 a.m., the petitioners threatened the defacto complainant not to participate in the Panchayat Election and damaged the Car. A case in Crime NO.2 of 2022 was registered against the petitioners under Sections 427 & 506(ii) IPC. The petitioners filed this petition for anticipatory bail.



3. On the side of the petitioners, it is stated that the case was registered on election motive. No one was injured in the case. False case has been foisted against the petitioners and prayed the petitioners to be released on anticipatory bail.

4. On the side of the respondent, it is contended that totally three accused involved in this case. The first accused throw the bottle and damaged the Car and A1 is having one previous case. There is no previous case against the petitioners 2 and 3 and prayed the petition to be dismissed.

5. In view of the submissions made by both sides, this Court is inclined to grant anticipatory bail to the petitioners 2 and 3 with certain conditions.

6. Accordingly, this Criminal Original Petition is allowed in respect of petitioners 2 and 3 and the petitioners 2 and 3 are ordered to be released on bail in the event of arrest or on their appearance, before the learned Judicial Magistrate No.II, Thoothukudi, on condition that the petitioners 2 and 3 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 2 and 3 shall appear before the respondent police daily at 10.30 a.m. until further orders. The petitioners 2 and 3 shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously.

7. The petitioners 2 and 3 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.

8. Considering the previous antecedents of the first petitioner, this Criminal Original Petition is dismissed in respect of the first petitioner.

sd/-
07/01/2022

/ 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 NO.II,
THOOTHUKUDI.
2. DO-THROUGH : THE CHIEF JUDICIAL MAGISTRATE,
TUTICORIN DISTRICT.
3. THE INSPECTOR OF POLICE,
MUTHIAHPURAM POLICE STATION,
THOOTHUKUDI DISTRICT.
4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER
IN
CRL OP(MD) No.258 of 2022
Date : 07/01/2022

USK/PN/SAR-I/12.01.2022/3P/5C