

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

DATED : 10.02.2022

PRESENT :

THE HONOURABLE Mr. JUSTICE G.ILANGO VAN**Cr1.O.P. (MD) No.939 of 2022**

1. Sathiyaseelan
2. Sathish Kumar @ Sathish ... Petitioners/Accused
No.1 & 2

-vs-

State rep.by
The Inspector of Police,
Maruvur Police Station,
Thanjavur District.
(Crime No.157 of 2021) ... Respondent/Complainant

For Petitioners : M/s.R.L.Dhilipan Pandian, Advocate

For Respondent : M/s.SS.Madhavan
Government Advocate (Cr1.Side)

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

PRAYER :-

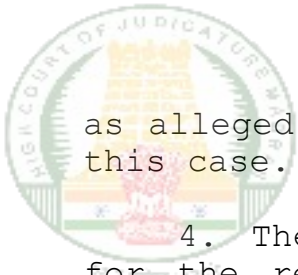
For Anticipatory Bail in Crime No.157 of 2021 on the file of
the Respondent Police.

ORDER : The Court made the following order :-

The petitioners/ accused Nos. 1 & 2, who apprehend arrest at
the hands of the respondent police for the offence punishable under
Sections 294(b), 324, and 506(II) of I.P.C, in Crime No.157 of 2021
on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that on 05.11.2021, the
petitioners along with other accused persons said to have assaulted
the defacto complainant, abused him in filthy language and also
threatened him with dire consequences. Hence the complaint.

3. The learned counsel for the petitioners would submit that
the petitioners are innocent and they have not committed any offence



as alleged by the prosecution, they have been falsely implicated in this case. Hence, he seeks anticipatory bail to the petitioners.

4. The learned Government Advocate (Criminal Side) appearing for the respondent police would submit that there are totally 4 accused. A3 has been arrested and released on bail.

5. Even though the earlier anticipatory bail petition filed by the petitioners was dismissed by this Court, on the ground that this petitioners are having previous cases, the learned counsel for the petitioners filed this second anticipatory bail petition on the ground that the previous cases are not serious in nature.

6. In the previous occasion, the learned counsel for the petitioners submitted that one case was filed on the complaint given by the husband and another on the basis of the complaint given by the wife. According to him, because of the previous enmity, those the previous cases have been registered.

7. Considering the facts and circumstances of the case and also considering the fact that the injured was discharged from the hospital, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions:-

8. Accordingly, this Criminal Original Petition is allowed and the petitioners are ordered to be released on bail, on executing a personal 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 Judicial Magistrate, Thiruvaiyaru, Thanjavur District, and on further condition that the petitioners shall report before the respondent police daily at 10.30 a.m. until further orders. The petitioners shall comply with the condition stipulated under Section 438 Cr.P.C scrupulously.

Sd/-
10/02/2022

/ TRUE COPY /

/ /2022
Sub-Assistant Registrar (C.S.III)
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,
THIRUVAIYARU,
THANJAVUR DISTRICT.
2. -DO- THROUGH
THE CHIEF JUDICIAL MAGISTRATE,
THANJAVUR DISTRICT AT KUMBAKONAM.
3. THE INSPECTOR OF POLICE,
MARUVUR POLICE STATION,
THANJAVUR DISTRICT.
4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER
IN
CRL OP (MD) No.939 of 2022
Date :10/02/2022

SP/JM/SAR III/18/02/2022/3P/5C