



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 12/01/2022

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP (MD) . No.391 of 2022

1. Saravanan
2. Murugesan

... Petitioners/Accused No.2 & 3

Vs

State rep.by
The Inspector of Police,
Pettavaithalai Police Station,
Pettavaithalai,
Trichy District.
(Crime No.2 of 2022).

... Respondent/Complainant

For Petitioners : M/s.Arunraj K, Advocate.

For Respondent : M/s.S.Manikandan,
Government Advocate (Crl.Side)

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

PRAYER :-

For Anticipatory Bail in Crime No. 2 of 2022 on the file of the Respondent police.

ORDER : The Court made the following order :-

The petitioners, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 294(b), 323, 324 and 506(ii) of IPC r/w Section 4 of Tamil Nadu Prohibition of Women Harassment Act, in Crime No.2 of 2022 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that due to previous dispute, the petitioners along with other accused abused the defacto complainant in filthy language and also attacked him and caused injuries to him. Therefore, the present case came to be registered.



3.The learned counsel for the petitioners submitted that the petitioners are innocent persons and they have been falsely implicated in this case. The petitioners have not committed any offence as alleged by the prosecution. He would further submit that a case in counter has been registered against the defacto complainant in Crime No.3 of 2022 for the offences under Section 294 (b), 324 and 506(ii) of IPC.

4.The learned Government Advocate (Crl.Side) appearing for the respondent would submit that the injured has been discharged from the hospital. He would further submit that one previous case is pending against the first petitioner and no previous case is pending against the second petitioner.

5.Considering the facts and circumstances of the case and also the fact that the injured has been discharged from the hospital, this Court is inclined to grant bail to the petitioners, however, with stringent conditions.

6.Accordingly, the petitioners are ordered to be released on bail in the event of arrest or their appearance, before the learned District Munsif Cum Judicial Magistrate, Srirangam, 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 the petitioner shall appear before the respondent police on every Saturday at 10.30 am until further orders. The petitioner shall comply with the conditions stipulated under Section 438 Cr.P.C. scrupulously.

7.The petitioners shall appear before the concerned Magistrate within a period of fifteen days from the date on which the order copy made ready, failing which, the petition for anticipatory bail stands dismissed.

Sd/-
12/01/2022

/ TRUE COPY /

/ /2022
Sub-Assistant Registrar (C.S.IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TTA

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 DISTRICT MUNSIF CUM
JUDICIAL MAGISTRATE, SRIRANGAM.
2. -DO- THROUGH
THE CHIEF JUDICIAL MAGISTRATE,
TRICHY DISTRICT.
3. THE INSPECTOR OF POLICE,
PETTAVAITHALAI POLICE STATION,
PETTAVAITHALAI, TRICHY DISTRICT.
4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER
IN
CRL OP (MD) No.391 of 2022
Date :12/01/2022

SP/JM/SAR IV/02/02/2022/3P/5C