



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.596 of 2022

1. Mahendran
2. Gopal
3. Chithraleka

... Petitioners/Accused
Nos.1,2 & 4

Vs

State rep.by,
The Inspector of Police,
Meignanapuram Police Station,
Thoothukudi District.
Crime No.109/2021).

... Respondent/Complainant

For Petitioners : M/s.J.David Ganesan, Advocate

For Respondent : M/s.RMS.Sethuraman
Additional Public Prosecutor

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

PRAYER :-

For Anticipatory Bail in Crime No.109/2021 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/Accused Nos.1,2 &4, apprehending arrest at the hands of the respondent police for the alleged offences punishable under Sections 294(b), 323 and 506(ii) I.P.C, in Crime No.109 of 2021 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that on 13.08.2021, the de-facto complainant and his mother was abused in filthy language and attacked them and criminally intimidated by the petitioners. On the basis of the complaint given by the de-facto complainant, the case was registered under sections 294(b), 323 and 506(ii) I.P.C, in Crime No.109 of 2021. Hence, the complaint.



3. The learned counsel for the petitioners submitted that the petitioners are innocent and they have been falsely implicated in this case and the case in counter on the basis of the complaint given by the petitioner in Crime No.107 of 2021 for the offences punishable under Sections 294(b), 323 and 506(ii) I.P.C. According to him, the first petitioner was attacked by the de-facto complainant party. Whatever may be the case in counter, the injured has been discharged from the hospital.

4. The learned Government Advocate (Crl. Side) for the respondent police submitted that there is no previous case against the petitioners.

5. Considering the facts and circumstances of this case, this Court is inclined to grant anticipatory bail to the petitioners.

6. Accordingly, this Criminal Original Petition is allowed and petitioners are ordered to be released on bail in the event of arrest or on their appearance, before the learned Judicial Magistrate Court, Sathankulam on condition that the petitioners 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 petitioners shall appear before the respondent police once in a month 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/-
12/01/2022

/ TRUE COPY /

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

gbg/btr

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

+1. CC to M/S.DAVID GANESAN J Advocate SR.No.234

ORDER
IN
CRL OP (MD) No.596 of 2022
Date :12/01/2022

SP/JM/SAR IV/01/02/2022/3P/6C