



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 12.01.2022

WEB COPY

PRESENT

The Hon'ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.724 of 2022

1.Thavasi @ Thavasilingam
2.Mahalakshmi

... Petitioners/2nd & 3rd Accused

Vs

State represented by,
The Inspector of Police,
Kariapatti Police Station,
Virudhunagar District.
(Crime No.7 of 2022).

... Respondent/Complainant

For Petitioners : Mr.S.Pooranachandran, Advocate

For Respondent : Mr.S.Manikandan

Government Advocate(Crl.side)

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

PRAYER :-

For Anticipatory Bail in Crime No.7/2022 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioners/Accused Nos.2 and 3, apprehending arrest at the hands of the respondent police for the alleged offences punishable under Sections 294(b), 323, 324 and 506(i) I.P.C, in Crime No.7 of 2022 on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that on 31.12.2021, at about 6 a.m., the first accused, namely, Mani, questioned the de-facto complainant regarding the damage that was caused to his tiles and quarrel arose between them. As a result of which, the de-facto complainant was abused and assaulted. Hence, the complaint.

3.The learned counsel for the petitioner submitted that the petitioner is innocent and he has been falsely implicated in this case.

4.The learned Government Advocate (Crl. Side) for the respondent police submitted that quarrel arose between the de-



facto complainant as well as the accused person since banana tree of the de-facto complainant was damaged so also the tiles of the house of the first accused.

5.Considering the facts and circumstances of this case and that the injured person has been discharged from the hospital and that the dispute between them is of a petty issue, 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 II, Virudhunagar 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.)
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 II,
Virudhunagar.

2.Do-Through The Chief Judicial Magistrate,
Virudhunagar District at Srivilliputhur.

<https://hcservices.ecourts.gov.in/hcservices/>



3.The Inspector of Police,
Kariapatti Police Station,
Virudhunagar District.

4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

ORDER

IN

CRL OP(MD) No.724 of 2022

Date :12/01/2022

RS/PN/SAR.1(01.02.2022) 3P-5C