



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.743 of 2022

1.R.Mahendran
2.M.Kanagarani
3.V.Raj

... Petitioners/Accused Nos.1 to 3

Vs

State rep.by
The Inspector of Police,
Allinagaram Police Station,
Allinagaram,
Theni District.
(Crime No.96 of 2021)

... Respondent/Complainant

For Petitioners: M/s.I.Pinaygash, 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.96 of 2021 on the file of the Respondent Police.

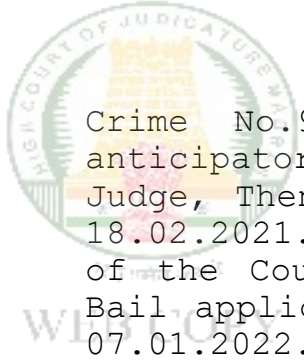
ORDER : The Court made the following order :-

The petitioners/Accused Nos.1 to 3, apprehending arrest at the hands of the respondent police for the alleged offences punishable under Sections 147, 448, 323 and 506(i) I.P.C., in Crime No.96 of 2021 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that on 13.02.2021, due to civil dispute, the petitioners and seven others entered into the house of the de-facto complainant, quarreled with him and his family members and also threatened them with dire consequences. Hence, the complaint.

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

3. This petition has been filed seeking anticipatory bail in



Crime No.96 of 2021. Earlier, the petitioners moved Similar anticipatory bail application before the learned Principal District Judge, Theni in Crl.M.P No.468 of 2021 and the same was allowed on 18.02.2021. But the petitioners have failed to comply with the order of the Court. Thereafter, the petitioners filed 2nd Anticipatory Bail application in Crl.M.P.No.102 of 2022, which was dismissed on 07.01.2022. So, without approaching the same Court, the petitioners have come forward with the present petition, seeking the relief of anticipatory bail.

4. The learned counsel appearing for the petitioners submitted that the petitioners are innocent and they have been falsely implicated in this case. The learned counsel would further submit that earlier, the petitioners moved anticipatory bail application before the learned Principal District Judge, Theni in Crl.M.P No.468 of 2021 and the same was allowed on 18.02.2021 and since the petitioners could not arrange the sureties, the petition was dismissed. Thereafter, the petitioners filed 2nd Anticipatory Bail application in Crl.M.P.No.102 of 2022, which was dismissed on 07.01.2022.

5. The learned Government Advocate (Crl. Side) for the respondent police submitted that on 13.02.2021, due to civil dispute, the petitioners and other accused entered into the house of the de-facto complainant, quarreled with him and his family members and also threatened them with dire consequences.

6. Considering the nature of offence, the overt act attributed against the petitioners, this Court is inclined to grant anticipatory bail to the petitioners.

7. Accordingly, this Criminal Original Petition is allowed and the petitioners are ordered to be released on bail in the event of arrest or on their appearance, before the learned Judicial Magistrate, Theni, on condition that the petitioners 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 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.

8. 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.III)
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, THENI DISTRICT.
2. -DO-THROUGH THE CHIEF JUDICIAL MAGISTRATE,
THENI DISTRICT.
3. THE INSPECTOR OF POLICE,
ALLINAGARAM POLICE STATION,
ALLINAGARAM,
THENI DISTRICT.
4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
CRL OP(MD) No.743 of 2022
Date :12/01/2022

SP/PN/SAR III/01/02/2022/3P/5C