



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Date : 20/01/2022

PRESENT

The Hon'ble Mrs.Justice R.THARANI

CRL OP(MD). No.912 of 2022

1. THILAI PANDI
2. PREMA
3. SUYAMBUKANI
4. NARAYANAKANI
5. SAMUTHIRAKANI

... PETITIONERS/ACCUSED NO.1 TO 5

VS

THE STATE REP. BY,
THE INSPECTOR OF POLICE,
UVARI POLICE STATION,
TIRUNELVELI DISTRICT.
(CRIME NO. 150/2021).

... RESPONDENT/COMPLAINANT

For Petitioner : M/s.Rajiv Rufus.V., 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.150 of 2021 on the file of the respondent Police.

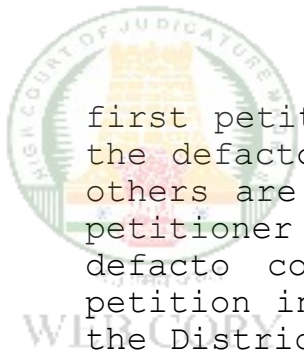
ORDER : The Court made the following order :-

The petitioners/Accused No.1 to 5, apprehending arrest at the hands of the respondent police for the alleged offence punishable under Sections 147, 148, 294(b), 506(ii) of IPC and Section 4 of TN Prohibition of Harassment of Women Act, in Crime No.150 of 2021 on the file of the respondent police, seek anticipatory bail.

2. The case against the petitioner is that he entered into the garden of the defacto complainant, scolded her in filthy language and threatened her with dire consequences. Hence, a case has been registered.

3.On the side of the petitioners it is stated that the first petitioner and his brother are the owners of 7 acres of land. The

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first petitioner's brother sold his share of 3.54 acres of land to the defacto complainant and others. But the defacto complainant and others are trying to encroach more than 6 acres of land. The first petitioner is a senior citizen. Her son is residing in abroad. The defacto complainant filed a suit in O.S.No.51 of 2021 and the petition in I.A.No.2 of 2021 for interim injunction was rejected by the District Munsif, Radhapuram. Since the defacto complainant could not get an order in the civil Court she has filed a false complaint against the petitioners. The petitioners were attacked by the defacto complainant and others. It is further stated that though the first petitioner filed the first complaint, the police registered the case later and there is a counter case pending and prayed the petitioners to be released on anticipatory bail.

4.On the side of the prosecution it is stated that a civil suit is pending between the parties. The I.A petition for injunction filed by the defacto complainant was rejected by the civil Court. No one is injured in the case. There is a counter case pending against the defacto complainant.

5.In view of the above submissions it is seen that there is a counter case pending against the defacto complainant and that a civil suit is pending between the parties. No one is injured in this case. In view of the same, this Court is inclined to grant anticipatory bail to the petitioners.

6. 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, Radhapuram, on condition that the petitioners shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each with one surety each for a like sum to the satisfaction of the learned Magistrate concerned and the petitioners shall appear before the Judicial Magistrate, Radhapuram, once in a week i.e., first working day of every week at 10.30 a.m. for a period of one month. 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/-
20/01/2022

/ 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,
RADHAPURAM.
2. DO-THROUGH : THE CHIEF JUDICIAL MAGISTRATE,
THIRUNELVELI DISTRICT.
3. THE INSPECTOR OF POLICE,
UVARI POLICE STATION,
TIRUNELVELI DISTRICT.
4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

+1 CC to M/s.V.RAJIV RUFUS, Advocate (SR-351[I] dated 21/01/2022)

ORDER
IN
CRL OP(MD) No.912 of 2022
Date :20/01/2022

USK/PN/SAR-IV/25.01.2022/3P/6C