



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 21/01/2022

PRESENT

WEB COPY

The Hon`ble Mrs.Justice R.THARANI
CRL OP(MD) . No.1026 of 2022

1. Jayalakshmi
2. Neelavathi
3. Krishnaveni
4. Aushya
5. Gowsalya

... Petitioners/Accused No.1 to 5

Vs

The state represented by
The Inspector of Police,
Peravurani Police Station,
Thanjavur District.
Cr.No.734 of 2021.

... Respondent/Complainant

For Petitioner : M/s.Ramu.M,
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. 734 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, 294(b), 323 and 506(ii) IPC in Crime No.734 of 2021 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that on 28.09.2021, when the defacto complainant and his wife were planting coconut trees, the petitioners attacked them, scolded them in filthy language and threatened them with dire consequences. A case in Crime NO.734 of 2021 under Sections 147, 294(b), 323, 506(ii) IPC was registered against the petitioners.

3. On the side of the petitioner it is stated that the petitioners belonged to the same family. There is a pathway dispute between the parties. Only due to that motive a false case was foisted against the petitioner and prayed the petitioners to be released on anticipatory bail.



4. On the side of the respondent, it is stated that the complainant is a handicapped person. He was attacked by the petitioners. The injured was discharged from the hospital on 29.09.2021 itself and prayed the petition to be dismissed.

5. It is seen that the alleged occurrence is on 28.09.2021 and the injured was discharged from the hospital on 29.09.2021. Considering that the injured was discharged from the hospital, 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, Pattukkottai, 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 daily 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/-

21/01/2022

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/ /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
PATTUKKOTTAI.

2 DO-THROUGH :
THE CHIEF JUDICIAL MAGISTRATE,
THANJORE DISTRICT AT KUMBAKONAM.

3 THE INSPECTOR OF POLICE
PERAVURANI POLICE STATION,

<https://hcservices.mca.gov.in/hcservices>
THANJORE DISTRICT.



4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

WEB COPY

ORDER
IN
CRL OP(MD) No.1026 of 2022
Date :21/01/2022

SS/VR/SAR-IV/27.01.2022 : 3P/5C