



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 31/01/2022
PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD) . No.1006 of 2022

1. Praveenkumar
2. P.Shankari

... Petitioners/Accused Nos.1 & 2

Vs

The State rep.by
The Inspector of Police,
Omachikulam Police Station,
Madurai District.
In Crime No.1/2022.

... Respondent/Complainant

For Petitioners: M/s.SUBASH BABU.M,
Advocate.

For Respondent : Mr.S.MANIKANDAN,
Government Advocate (Crl.Side)

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

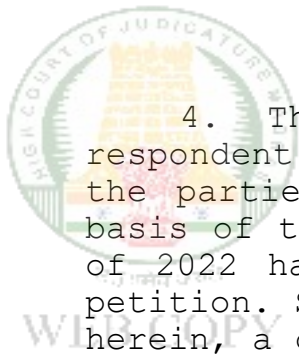
PRAYER :- For Anticipatory Bail in Crime No.1 of 2022 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioners/Accused No.1 & 2, apprehending arrest at the hands of the respondent police for the alleged offence punishable under Sections 294(b), 324, 506(i) of IPC r/w Section 4 of Tamil Nadu Prohibition of Harassment of Women Act, in Crime No.1 of 2022 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that the trouble arose between the defacto complainant and the petitioner, who are neighbours with regard to the rain water got stagnated in front of their houses. on 08.01.2022, at about 07.15 a.m, the first petitioner said to have drove his bike in a rash manner with intent to hit the defacto complainant. When the same was questioned by him, the petitioners said to have abused and assaulted him and his wife with stone. 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. He further submitted that because of the trouble between the parties, case and counter case has been registered. Hence, he prays to grant of anticipatory bail to the petitioner.



4. The learned Government Advocate (Crl. Side) for the respondent police submitted that there is previous enmity between the parties and case in counter case has been registered. On the basis of the complaint given by the defacto complainant, Crime No.1 of 2022 has been registered, which is the subject matter of this petition. Similarly, on the complaint given by the first petitioner herein, a case in Crime No.2 of 2022 has been registered against the defacto complainant and his wife.

5. Considering the facts and circumstances of the case and also considering the fact that the trouble arose between the parties for simple and trivial issue and it is a case and case in counter, 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 Additional Mahila Court, Magistrate Level, Madurai, 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. for a period of 15 days and thereafter, as and when required for interrogation. 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/-
31/01/2022

/ 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 JUDGE
ADDITIONAL MAHILA COURT, MAGISTRATE LEVEL,
MADRURAI.

2 DO-THROUGH : THE CHIEF JUDICIAL MAGISTRATE,
MADRURAI DISTRICT.

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



3 THE INSPECTOR OF POLICE
OMACHIKULAM POLICE STATION,
MADURAI DISTRICT.

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

+1. CC to M/S.SUBASH BABU M Advocate SR.No.568

ORDER

IN

CRL OP(MD) No.1006 of 2022

Date :31/01/2022

SA/PN/SAR.2/04.02.2022/3P/6C