



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

PRESENT

The Hon'ble Mrs. Justice R. THARANI
CRL OP(MD). No.993 of 2022

WEB COPY

1. JEGATHESAN
2. ANAND

... PETITIONERS/ACCUSED NO.2&4

VS

THE STATE REP. BY,
THE INSPECTOR OF POLICE,
BUDALUR POLICE STATION,
BUDALUR, THANJAVUR DISTRICT.
(CRIME NO.476 OF 2021).

... RESPONDENT/COMPLAINANT

For Petitioner : Mr.K.Arunraj, 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.476 of 2021 on the file of the Respondent police.

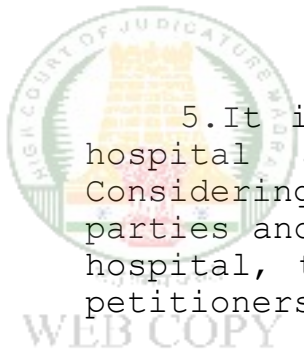
ORDER : The Court made the following order :-

The petitioners/Accused Nos.2 & 4, apprehending arrest at the hands of the respondent police for the alleged offence punishable under 294(b), 324 and 506(ii) of IPC in Crime No.476 of 2021 on the file of the respondent police, seek anticipatory bail.

2. The case against the petitioner is that on 25.12.2021 the petitioners closed the pathway and restrained the defacto complainant, attacked them and threatened with dire consequences. Hence, the case.

3.On the side of the petitioner, it is submitted that the petitioner is the father of the second petitioner. The complainant is their neighbour. A civil suit is pending between the parties. The injured was already discharged from the hospital. The petitioners are A2 and A4 in the case. Already A1 and A3 were released on bail by the trial Court. An order of anticipatory bail to be granted to the petitioner.

4.On the side of the prosecution it is stated that there is a civil suit between the parties regarding the pathway. The defacto complainant sustained head injury and he was discharged on 29.12.2021 and prayed the petitioner to be dismissed.



5.It is seen that the injured was already discharged from the hospital and the co-accused was already released on bail. Considering the fact that there is a civil dispute between the parties and considering the fact the injured was discharged from the hospital, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

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, Thiruvaiyaru, 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 one month, 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/-
21/01/2022

/ 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, THIRUVAIYARU.
2. DO-THROUGH : THE CHIEF JUDICIAL MAGISTRATE,
THANJAVUR DISTRICT AT KUMBAKONAM.
3. THE INSPECTOR OF POLICE,
BUDALUR POLICE STATION,
BUDALUR, THANJAVUR DISTRICT.
4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER IN
CRL OP(MD) No.993 of 2022
Date :21/01/2022