



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 25/01/2022

PRESENT

The Hon`ble Mrs.Justice R.THARANI

CRL OP(MD) . No.1141 of 2022

1. Veerapandi
2. Palanivel
3. Subramaniyan

... Petitioners/Accused
No.1 to 3

Vs

State rep.by its
The Inspector of Police,
Thiruvadanai Police Station,
Ramanathapuram District.
(Crime No.06 of 2022).

... Respondent/Complainant

For Petitioners: M/s.J.Vijayaraja, Advocate.

For Respondent : M/s.S.Manikandan,
Government Advocate (Crl.Side)

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

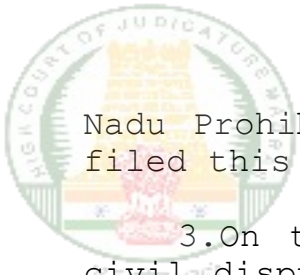
PRAYER :-

For Anticipatory Bail in Crime No.06 of 2022 on the file of the Respondent police.

ORDER : The Court made the following order :-

The petitioners/Accused, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 294 (b), 323, 427, 447, 506(ii) IPC and Section 4 of Tamil Nadu Prohibition of Harassment of Women Act, 2002, in Crime No.6 of 2022, seek anticipatory bail.

2.The case against the petitioners is that the petitioners trespassed into the land of *defacto* complainant, scolded her in filthy language and threatened her with dire consequence. The case in Crime No.6 of 2022 was registered against the petitioners under Sections 294(b), 323, 427, 447, 506(ii) IPC and Section 4 of Tamil



Nadu Prohibition of Harassment of Women Act, 2002. The petitioners filed this petition for anticipatory bail.

3. On the side of the petitioners it is stated that there was civil dispute between the parties. The petitioners' father is aged about 84 years and he was taken to Sub-Registrar's office. The third petitioner is the cultivating tenant. Till now the petitioners are in possession of the land. Now the *defacto* complainant is taking steps to change the patta by using some forged documents and the same was questioned by the petitioners, this false case was foisted against the petitioners. There is no overt act against the second petitioner. There is a delay of five days in lodging the complaint and pray the petitioners to be released on anticipatory bail.

4. On the side of prosecution it is stated that the petitioners who tried to encroach the property of the *defacto* complainant caused damages to the paddy worth about Rs.15,000/- and also caused injuries to the *defacto* complainant. It is fairly admitted that the injured was discharged from the hospital.

5. It is seen that the injured was already discharged from the hospital and original dispute is civil in nature. Considering the nature of offence, this Court is inclined to grant anticipatory bail to the petitioners on the following conditions.

6. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or their appearance, before the learned Judicial Magistrate, Thiruvadanai and on their executing 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 concerned Court daily at 10.30 am for a period of one month and thereafter, as and when required for interrogation. The petitioners shall comply with the conditions stipulated under Section 438 Cr.P.C. scrupulously.

7. The petitioners shall appear before the concerned Magistrate within a period of fifteen days from the date on which the order copy made ready, failing which, the petition for anticipatory bail stands dismissed.

Sd/-
25/01/2022

/ TRUE COPY /

/ /2022
Sub-Assistant Registrar (C.S.II)
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,
THIRUVADANAI.
2. -DO- THROUGH
THE CHIEF JUDICIAL MAGISTRATE,
RAMANATHAPURAM DISTRICT.
3. THE INSPECTOR OF POLICE,
THIRUVADANAI POLICE STATION,
RAMANATHAPURAM DISTRICT.
4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER
IN
CRL OP (MD) No.1141 of 2022
Date :25/01/2022

SP/VR/SAR II/01/02/2022/3P/5C