



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 24/01/2022

WEB COPY

PRESENT

The Hon`ble Mrs.Justice R.THARANI

CRL OP(MD) . No.1087 of 2022

1. Seema Devi
2. Maneesha @ Manisha
3. Tamilarasi

... Petitioners/Accused 1 to 3

Vs

State rep.by
The Inspector of Police,
Dindigul Taluk Police Station,
Dindigul District.
(Crime No.40/2022).

... Respondent/Complainant

For Petitioners : M/s.Venkatesh D, Advocate.

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

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

PRAYER :-

For Anticipatory Bail in Crime No.40 of 2022 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioners/Accused No.1 to 3, apprehending arrest at the hands of the respondent police for the alleged offence punishable under Sections 294(b), 323 and 307 of I.P.C, on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that there was a family dispute between the parties, due to which, the petitioners abused the defacto complainant in filthy language and assaulted him with a stick and also threatened him with dire consequences. 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 the first petitioner is the wife of the defacto complainant and the other petitioners are in-



laws of the defacto complainant and the first petitioner has also made a complaint against the defacto complainant and the same was registered in Crime No.35 of 2022, under Sections 109, 294(b), 324, 379 and 506(i) I.P.C r/w Section 4 of TNPHW Act.

4. The learned Government Advocate (Crl. Side) for the respondent police submitted that there is a family dispute between the parties. There is a case in counter case has been registered. No one sustained injury in this occurrence. The first petitioner is having one previous case, which is under the Tamilnadu Prohibition Act and the petitioners 2 and 3 are not having any previous case. The defacto complainant /victim is already in judicial custody from 15.01.2022, in Crime No.15 of 2022.

5. Considering the nature of offence, the overt act attributed against the petitioners and considering that there is a 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 Judicial Magistrate No.I, Dindigul, 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/-
24/01/2022

/ TRUE COPY /

/ /2022
Sub-Assistant Registrar (C.S.II)
Madurai Bench of Madras High Court,
Madurai - 625 023.

LS

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.



1. THE JUDICIAL MAGISTRATE NO.I,
DINDIGUL.
2. -DO- THROUGH
THE CHIEF JUDICIAL MAGISTRATE,
DINDIGUL DISTRICT.
3. THE INSPECTOR OF POLICE,
DINDIGUL TALUK POLICE STATION,
DINDIGUL DISTRICT.
4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER
IN
CRL OP (MD) No.1087 of 2022
Date :24/01/2022

SP/VR/SAR II/27/01/2022/3P/5C