



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT  
( Criminal Jurisdiction )  
Date : 27/01/2022  
PRESENT

**The Hon`ble Mrs.Justice R.THARANI**  
**CRL OP(MD) . No.1125 of 2022**

WEB COPY

1. Vivekanandan
2. Karkki
3. Umamaheshwaran

... Petitioners/Accused No.1 TO 3  
Vs

The state represented by  
The Inspector of Police,  
Orathanadu Police Station,  
Thanjavur District.  
Cr.No. 78 of 2022.

... Respondent/Complainant

For Petitioners : M/s.Ebenezer.T.A,  
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. 78 of 2022 on the file of  
the respondent Police.

ORDER : The Court made the following order :-

The petitioners apprehending arrest at the hands of the  
respondent police for the alleged offence punishable under Sections  
294(b), 323 and 506 (ii) I.P.C. and Section 4 of Tamil Nadu  
Prohibition of Harassment of Women Act, on the file of the  
respondent police, seek anticipatory bail.

2. The case of the prosecution is that on 13.01.22, there was  
a wordy quarrel between the parties, due to which, the petitioners  
said to have attacked the defacto complainant and her family members  
and harassed the female members by using filthy language and also  
threatened them and caused injury. 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 there is a counter case and  
prayed the petitioners to be released on anticipatory bail.

4. The learned Government Advocate (Crl. Side) for the  
respondent police submitted that a counter case has been registered  
in Crime No. 52 of 2022 and the injured in this case has been  
discharged from the hospital.



5. Considering the nature of the offence and considering the fact that the injured person has been 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, Orathanadu, 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 conditions 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 shall stand dismissed.

sd/-

27/01/2022

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

ORDER

IN

CRL OP(MD) No.1125 of 2022

Date : 27/01/2022

SS/JM/SAR-I/31.01.2022 : 2P/5C

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