



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Date : 24/01/2022

PRESENT

The Hon'ble Mrs.Justice R.THARANI

CRL OP(MD). No.1113 of 2022

1. Sibisudhan
2. Sureshkumar @ Surrendhar @ Deena
3. Rajprasanna

... Petitioners/Accused No.1,2 and 3

Vs

The State Rep. By,
The Inspector of Police,
Kallal Police Station,
Sivagangai District.
(Crime No. 4 of 2022). ... Respondent/Complainant

For Petitioners : Mr.S.Ramesh Kumar,
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. 4 of 2022 on the file of the respondent Police.

ORDER : The Court made the following order :-

The petitioners/ Accused Nos.1 to 3, apprehending arrest at the hands of the respondent police for the alleged offence punishable under Sections 294(b), 323, 342, 324, 506(ii) and 379 (NH) I.P.C, on the file of the respondent police, seek anticipatory bail.

2.The case against the petitioners is that on 12.01.2022, at about 20.00 hours, the petitioners abused the defacto complainant by using filthy language and criminally intimidated the defacto complainant and others and also attacked them and caused them injuries. A case in Crime No.4 of 2022 was registered under Sections 294(b), 323, 342, 324, 506(ii) and 379 (NH) of I.P.C. The petitioners filed this petition for anticipatory bail.



3. On the side of the petitioners, it is stated that it was the defacto complainant and his friend, namely Muruganantham, who used filthy language and criminally intimidated the petitioners and also attacked him with deadly weapons and caused him injuries and the first petitioner went to the Government hospital, Sivagangai. Since the first petitioner was having symptoms of COVID-19, he was not admitted in hospital. Though police recorded the statement of the first accused in the hospital, they failed to registered a F.I.R against the defacto complainant and prayed the petitioners to be released on anticipatory bail.

4. On the side of the prosecution, it is stated that the defacto complainant is indulged in harvesting business, whereas, the petitioner is a farmer, who requested the defacto complainant to harvest the paddy in his field and Rs.53,000/- was missing from the defacto complainant. It is admitted that the injured was discharged from the hospital.

5. In view of the submission made by both the parties, and considering the nature of the offence, 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, Karaikudi, Sivagangai, 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.)
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



TO

1. THE JUDICIAL MAGISTRATE,
KARAIKUDI, SIVAGANGAI DISTRICT.
2. DO-THROUGH : THE CHIEF JUDICIAL MAGISTRATE,
SIVAGANGAI DISTRICT.
3. THE INSPECTOR OF POLICE,
KALLAL POLICE STATION,
SIVAGANGAI DISTRICT.
4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER

IN

CRL OP(MD) No.1113 of 2022

Date :24/01/2022

USK/VR/SAR-IV/27.01.2022/3P/5C