



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.1170 of 2022

1. SRIRAM
2. SIVASANKAR @ SIVASANKARAN ... PETITIONERS/ACCUSED NO.1&2

VS

THE STATE REP. BY,
THE INSPECTOR OF POLICE,
KATTUPUTHUR POLICE STATION,
KATTUPUTHUR,
TRICHY DISTRICT
(CRIME NO. 2 OF 2022). ... RESPONDENT/COMPLAINANT

For Petitioners : Mr.K.Arunraj,
Advocate.
For Respondent : Mr.S.Manikandan,
Government Advocate (Crl.Side)

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

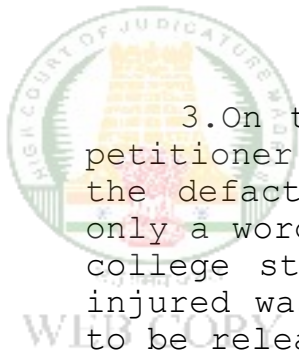
PRAYER :-

For Anticipatory Bail in Crime No. 2 of 2022 on the file of the respondent Police.

ORDER : The Court made the following order :-

The petitioners/ Accused Nos.1 and 2, apprehending arrest at the hands of the respondent police for the alleged offence punishable under Sections 147, 294(b), 323, 324 and 506(ii) I.P.C, on the file of the respondent police, seek anticipatory bail.

2.The case against the petitioners is that on 03.01.2022, at about 4.30 p,m, during the funeral procession of one Ramar, the petitioners scolded the defacto complainant in filthy language and threatened him with dire consequences. A case in Crime No.2 of 2022 was registered under Sections 147, 294(b), 323, 324 and 506(ii) I.P.C. The petitioners filed this petition for anticipatory bail.



3. On the side of the petitioners, it is stated that the first petitioner is the son of the second petitioner. The petitioners and the defacto complainant belonged to the same village. There was only a wordy quarrel between the parties. The first petitioner is a college student. Co-accused was already released on bail and the injured was discharged from the hospital and prayed the petitioners to be released on anticipatory bail.

4. On the side of the prosecution, it is stated that totally six accused involved in the case. The petitioners are A1 and A2. Except the petitioners, other accused were already released on bail before the trial Court. 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 and considering the fact that co-accused were already released on bail and the injured was discharged from the hospital, 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, Musiri, 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 concerned.



TO

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

ORDER
IN
CRL OP(MD) No.1170 of 2022
Date :24/01/2022

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