



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.1258 of 2022

WEB COPY

1. Sathishkumar
2. K.Kasi

... Petitioners/Accused No.1 & 4

Vs

The Inspector of Police,
Pettavaithalai Police Station,
Pettavaithalai, Trichy District.
Cr.No.02 of 2022..

... Respondent/Complainant

For Petitioners : M/s.Sundar.R,
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.02 of 2022 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioners/ Accused Nos.1 and 4, apprehending arrest at the hands of the respondent police for the alleged offence punishable under Sections 294(b), 323, 324, 506(i) of I.P.C and Section 4 of Women Harassment Act, on the file of the respondent police, seek anticipatory bail.

2. The case against the petitioners is that the petitioners and other accused attacked the defacto complainant and caused injuries and also threatened him with dire consequences. A case in Crime No.02 of 2022, under Sections 294(b), 323, 324, 506(i) of I.P.C and Section 4 of Women Harassment Act, was registered against the petitioners. The petitioners filed this petition for anticipatory bail.

3. On the side of the petitioners, it is stated that it was the defacto complainant, who attacked the petitioners, thereby, the petitioners caused injuries and they are admitted at Government Hospital as in patient and the first petitioner sustained head injuries. The petitioners were also made a complaint against the defacto complainant and the same was registered in Crime No.3 of 2022, under Sections 294(b), 323, 324 and 506(i) I.P.C and Co-accused in this case were already granted anticipatory bail and prayed the petitioners to be released on bail.



4. On the side of the prosecution, it is stated that totally four accused involved in this crime and the petitioners are arrayed as A1 and A4. There was a wordy quarrel with regard to conducting a temple festival between the parties. There is a counter case has been registered. Co-accused/A2 and A3 were already granted anticipatory bail in Crl.O.P.(MD)No.391 of 2022. The petitioners are having one previous case in the year 2019 and prayed the petition to be dismissed.

5. It is seen that the petitioners are injured in the occurrence and Co-accused/A2 and A3 were already granted anticipatory bail. Considering the nature of offence and considering the fact 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, Srirangam, 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/-
25/01/2022

/ 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,
SRIRANGAM.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,

<https://hcservices.mca.gov.in/Services/>



3 THE INSPECTOR OF POLICE
PETTAVAITHALAI POLICE STATION,
PETTAVAITHALAI, TRICHY DISTRICT.

4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER

IN

CRL OP(MD) No.1258 of 2022

Date : 25/01/2022

SS/JM/SAR-I/31.01.2022 : 3P/5C