



WEB COPY

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.1314 of 2022

1. S.Kathiresan
2. K.Poonkodi
3. M.Packiyam
4. M.Nagendran @ Naganathan

... Petitioners/Accused
No.1 to 4/B-Party

Vs

State rep.by
The Inspector of Police,
Mudhukulathur Police Station,
Ramanathapuram District.
(Crime No.18 of 2022).

... Respondent/Complainant

For Petitioners: M/s.L.Prabakaran, Advocate.

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

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

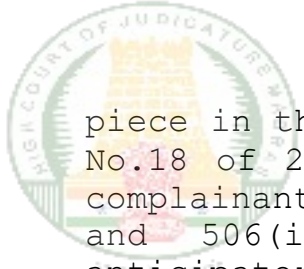
PRAYER :-

For Anticipatory Bail in Crime No. 18 of 2022 on the file of the respondent Police.

ORDER : The Court made the following order :-

The petitioners/Accused, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 147, 148, 294(b), 353 and 506(ii) IPC, in Crime No.18 of 2022, seek anticipatory bail.

2.The case against the petitioners is that the Sub Inspector of Police is the *defacto* complainant in this case. It is seen that there is case and counter case registered against the parties and even after the interference of the *defacto* complainant, both the parties indulged in fighting with each other and failed to maintain



piece in the locality. In the above circumstances, the case in Crime No.18 of 2022 was registered against both parties by the *defacto* complainant *in suo-motu* under Sections 147, 148, 341, 294(b), 353 and 506(ii) IPC. The petitioners filed this petition for anticipatory bail.

3.On the side of the petitioners it is stated that there is quarrel between neighbours. Nobody was injured. Since both the parties failed to adhere the words of the Sub Inspector of Police, the case registered against both the parties. The first petitioner is the husband of the second petitioner and third petitioner is the mother of the fourth petitioner and pray to release them on anticipatory bail.

4.On the side of the prosecution it is stated that though the Sub Inspector of Police directed the petitioners to maintain piece, they indulged in quarrelling with the neighbours and hence case was registered against the parties. It is fairly admitted that nobody was injured in the occurrence.

5.Considering the nature of offence and the fact that no one is injured in the occurrence, this Court is inclined to grant anticipatory bail to the petitioners on the following conditions.

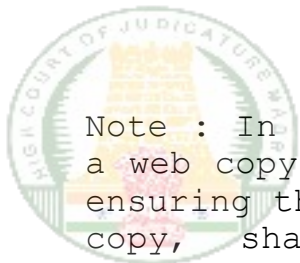
6.Accordingly, the petitioners are ordered to be released on bail in the event of arrest or their appearance, before the learned Judicial Magistrate, Muthukulathur and on their executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each with two sureties, each for a like sum to the satisfaction of the learned Magistrate concerned and the petitioners shall appear before the concerned Court daily at 10.30 am for a period of fifteen days and thereafter, as and when required for interrogation. 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 fifteen 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.IV)
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.

WEB COPY

TO

1. THE JUDICIAL MAGISTRATE,
MUTHUKULATHUR.
2. -DO- THROUGH
THE CHIEF JUDICIAL MAGISTRATE,
RAMANATHAPURAM DISTRICT.
3. THE INSPECTOR OF POLICE,
MUDHUKULATHUR POLICE STATION,
RAMANATHAPURAM DISTRICT.
4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

+1. CC to M/S.PRABAKARAN L Advocate SR.No.419

ORDER
IN
CRL OP(MD) No.1314 of 2022
Date :25/01/2022

SP/VR/SAR IV/31/01/2022/3P/6C