



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.1325 of 2022

Anburaj ... Petitioner/Accused No.1

Vs

State rep.by
The Inspector of Police,
Vathalai Police Station,
Trichy District.
(Crime No.2/2022) Respondent/Complainant

For Petitioner : M/s.Ganapathi Subramanian P,
Advocate.

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

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

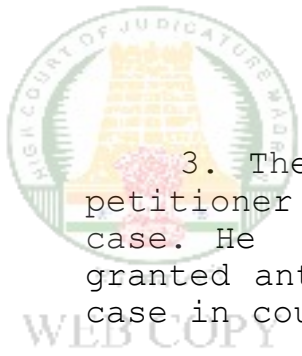
PRAYER :-

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

ORDER : The Court made the following order :-

The petitioner/ Accused No.1, apprehending arrest at the hands of the respondent police for the alleged offence punishable under Sections 294(b), 324, 427 and 506(ii) of I.P.C r/w. Section 4 of TNPHW Act, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that on 31.11.2021, at about 5.30 pm., due to civil dispute between the parties, the petitioner and other accused abused the defacto complainant and her family members by using wooden log and iron rod and caused injuries. Hence, the complaint.



3. The learned counsel for the petitioners submitted that the petitioner is innocent and he has been falsely implicated in this case. He further submitted that co-accused/A2 and A3 were already granted anticipatory bail by the lower Court and this is a case and case in counter and prayed the petition to be allowed.

4. The learned Government Advocate (Crl. Side) for the respondent police submitted that totally there are three accused in this case and the petitioner herein is arrayed as A1. Due to land dispute between the parties, the petitioner and other accused attacked the defacto complainant and her family members. There is a case and counter case. co-accused/A2 and A3 were already granted anticipatory bail before the lower Court. He further submitted that the injured was discharged from the hospital on 02.01.2022.

5. It is seen that co-accused/A2 and A3 were already released on bail by the trial Court. Considering the nature of offence, the overt act attributed against the petitioner and considering the fact that 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 petitioner is ordered to be released on bail in the event of arrest or on his appearance, before **(*)the learned Judicial Magistrate, Musiri** on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties each for a like sum to the satisfaction of the learned Magistrate concerned and the petitioner shall appear before the respondent police daily at 10.30 a.m. until further orders. The petitioner shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously.

7. The petitioner 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

(*)Amended as per order of this Court dated 22.02.2022 in CrI.MP(MD)No.2648 of 2022 in CrI.OP(MD)No.1325 of 2022 by KMSJ.

(*)Time is extended by two weeks from the date of receipt of copy of this order
/ TRUE COPY /

/ /2022

Sub-Assistant Registrar (C.S.II)
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

To be substituted with the order dated 25.01.2022 already despatched

1. THE JUDICIAL MAGISTRATE,
MUSIRI.
2. DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
TIRUCHIRAPPALLI.
3. THE PRINCIPAL DISTRICT AND
SESSIONS JUDGE, TIRUCHIRAPPALLI.
4. THE INSPECTOR OF POLICE,
VATHALAI POLICE STATION,
TRICHY DISTRICT.
5. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER
IN
CRL OP (MD) No.1325 of 2022
Date : 25/01/2022

SP/JM/SAR II/31/01/2022/3P/4C
SS/PN/SAR III/09/03/2022/3P/6C