



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 25/01/2022

WEB COPY

PRESENT

The Hon`ble Mrs.Justice R.THARANI

CRL OP(MD). No.1342 of 2022

1. Sellladurai,

2. Newton, ... Petitioners/Accused No.1 &3

Vs

The State Rep.by
The Inspector of Police,
Thiruchelakudi Police Station,
Thanjavur District
(Crime No. 805 of 2021).

... Respondent/Complainant

For Petitioners : Mr.Ramanathan.AN.
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. 805 of 2021 on the file of the respondent Police.

ORDER : The Court made the following order :-

The petitioners/ Accused Nos.1 and 3, apprehending arrest at the hands of the respondent police for the alleged offence punishable under Sections 294(b), 323, 506(i), 427 and 354 of I.P.C, on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that due to civil dispute between the parties, the petitioners damaged the meter box of the defacto complainant and electrical apparatus and also threatened the defacto complainant and her children with dire consequences. Hence, the complaint.

3. The learned counsel for the petitioners submitted that the petitioners are innocent and they have been falsely implicated in the case.

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this case. He further submitted that except 506(i) I.P.C. all other offences are bailable in nature and the co-accused-A2 in this case was already granted anticipatory bail before the lower Court.

4. The learned Government Advocate (Crl. Side) for the respondent police submitted that due to civil dispute between the parties with regard to giving electricity connection, the petitioners damaged the meter box and electrical apparatus and also threatened the defacto complainant and her children with dire consequences. Totally there are three accused in this crime and the petitioners are arrayed as A1 and A3 and Co-accused/A2 in this crime was already granted anticipatory bail before the Sessions Court, Thanjavur.

5. Considering the nature of offence, the overt act attributed against the petitioners and considering the fact that co-accused in this case was already granted anticipatory bail, 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 District Munsif-cum- Judicial Magistrate, Thiruvidadaimaruthur, 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

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/ /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 District Munsif-cum- Judicial Magistrate,
Thiruvidaimaruthur.
2. -do-Through The Chief Judicial Magistrate,
Thanjavur at Kumbakonam.
3. The Inspector of Police,
Thirucheelakudi Police Station,
Thanjavur District
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

ORDER

IN

CRL OP(MD) No.1342 of 2022

Date :25/01/2022

RD/VR/SAR-III (03.02.2022) 3P 5C