



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 28.01.2022

PRESENT

The Hon'ble Mrs.Justice R.THARANI

CRL OP(MD) . No.1399 of 2022

1. J.Vishnu
2. J.Venkatesan
3. Periyamuthu
4. Petchiammal

... Petitioners/Accused Nos.1 to 4

Vs.

State rep. by
The Inspector of Police,
Thenkarai Police Station,
Theni District.
(Crime No.22 of 2022).

... Respondent/Complainant

For Petitioners : Mr.P.Vetrivel, 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 Crime No.22 of 2022 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioners/Accused Nos.1 to 4, apprehending arrest at the hands of the respondent police for the alleged offence punishable under Sections 294(b), 323, 324 and 506(ii) of I.P.C., in Crime No.22 of 2022 on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that the petitioners attacked the defacto complainant and caused him injuries. Therefore, the present case came to be registered.



3.The learned counsel for the petitioners submitted that the first petitioner is the brother of the wife of the defacto complainant. The defacto complainant assaulted his wife brutally and she called her brother and thereby, the petitioners went to the house and advised the defacto complainant and hence, a false case was lodged by the defacto complainant and prayed to grant anticipatory bail to the petitioners.

4.The learned Government Advocate (Criminal Side) for the respondent police submitted that the injured absconded from the hospital. It is admitted that there was a family dispute between the husband and the wife. A1 is the brother of the wife of the defacto complainant and prayed the petition to be dismissed.

5.It is seen that the petitioners and the defacto complainant are close relatives. The second petitioner is the college students. Considering the nature of offence, 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, Periyakulam, Theni, 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 for a period of one month daily at 10.30 a.m., and thereafter as and when required for interrogation. 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/-
28/01/2022

/ 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

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

ORDER

IN

CRL OP (MD) No.1399 of 2022

Date :28/01/2022

SP/JM/SAR II/16/02/2022/2P/5C