



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 04/02/2022
PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD) . No.1384 of 2022

1. Umapathi
2. Thizhavathi
3. Saravankumar
4. Prakash
5. Suganya

... Petitioners 1 to 5/
Accused No.1 to 5

Vs

The State rep.by
The Inspector of Police,
Lalgudi Police Station,
Trichy District
(Crime No.20 of 2021).

... Respondent/Complainant

For Petitioners: M/s.VISHNU.V.,
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. 20 of 2021 on the file of the respondent Police.

ORDER : The Court made the following order :-

The petitioners/Accused No.1 to 5, apprehending arrest at the hands of the respondent police for the alleged offence punishable under Sections 294(b), 324 & 506(i) of IPC, in Crime No.20 of 2021 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that the defacto complainant is the sun-in-law of the petitioners 1 & 2 and husband of the fifth respondent. on 19.01.2021, the petitioners herein said to have assaulted the defacto complainant and threatened him with dire consequences. Hence, this complaint.

3. The learned counsel for the petitioners submitted that the petitioners are innocent and they have been falsely implicated in this case. He further submitted that it is a matrimonial dispute between the husband and wife. The defacto complainant and the 5th petitioner are husband and wife. On the date of occurrence, the petitioners went to the matrimonial house of the defacto complainant for resolving the dispute between the defacto complainant and the



5th petitioner. But, the defacto complainant said to have abused and attacked the 5th respondent in front of his in-laws. The defacto complainant thought that they may give complaint against him and immediately, lodged a complaint against the petitioners as if, the petitioners said to have assaulted and abused him and injured has been discharged from the hospital. Hence, he prays to grant of anticipatory bail to the petitioners.

4. The learned Government Advocate (Crl. Side) for the respondent police submitted that because of the matrimonial dispute between the defacto complainant and his wife, case and counter case been registered. Originally, it appears that the defacto complainant assaulted the 5th petitioner and in turn, the 5th petitioner come with her relatives, attacked the defacto complainant. In respect of which, a case and counter case have been registered and the injured has been discharged from the hospital.

5. According to the learned counsel for the petitioners, in counter case, the defacto complainant was granted of anticipatory bail. But, the petitioners are facing the present case.

6. Considering the facts and circumstances of the case and also considering the fact that it is a matrimonial dispute between the husband and wife and injured has been discharged from the hospital and counter has also been registered against the defacto complainant, in respect of the same occurrence, this Court is inclined to grant anticipatory bail to the petitioners.

7. 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, Lalgudi, 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 **once in a month at 10.30 a.m. until further orders**. The petitioners shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously.

8. 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/-

04/02/2022

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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 JUDICIAL MAGISTRATE
LALGUDI.
- 2 DO-THROUGH :THE CHIEF JUDICIAL MAGISTRATE,
TRICHY DISTRICT.
- 3 THE INSPECTOR OF POLICE
LALGUDI POLICE STATION,
TRICHY DISTRICT
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER

IN

CRL OP(MD) No.1384 of 2022
Date :04/02/2022

MK/VR/SAR-III/10.02.2022/3P/5C