



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Date : 27/01/2022

PRESENT

The Hon'ble Mrs.Justice R.THARANI

CRL OP(MD). No.1435 of 2022

1. U.Krishnasamy
2. U.Velusamy
3. U.Murugiah @ Murugan
4. U.Uthayakumar
5. U.Uthayakumar
6. S.Santhanapandi
7. Vadakasi
8. Vellathai

... Petitioners/Accused 1-8

Vs

The State Rep. By,
The Inspector of Police,
Kayathar Police Station,
Thoothukudi District.
(Crime No.45 of 2022).

... Respondent/Complainant

For Petitioners : M/s.Govindrajan M,
Advocate.

For Respondent : Mr.S.Manikandan,
Government Advocate (Crl.Side)

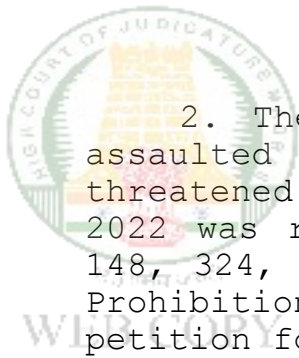
PETITION FOR ANTICIPATORY BAIL Under Sec.438 of Cr.P.C

PRAYER :-

For Anticipatory Bail in Crime No.45 of 2022 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioners / Accused Nos.1 to 8 apprehending arrest at the hands of the respondent police for the alleged offence punishable under Sections 147, 148, 324, 448 and 506(ii)I.P.C. and Section 4 of Tamil Nadu Prohibition of Women Harassment Act, on the file of the respondent police, seek anticipatory bail.



2. The case against the petitioners is that the petitioners assaulted the defacto complainant and her family members and threatened them with dire consequences. A case in Crime No.45 of 2022 was registered against the petitioners, under Sections 147, 148, 324, 448 and 506(ii)I.P.C. and under Section 4 of Tamil Nadu Prohibition of Women Harassment Act. The petitioners filed this petition for anticipatory bail.

3. On the side of the petitioners, it is stated that the first petitioner is an Advocate, practicing in Chennai and all other petitioners are his relatives. The injured was treated only as an out patient. On the same day, a counter case was registered against the defacto complainant and the matter was compromised by the elders of the villagers. Subsequently, a false case was foisted against the petitioners. Earlier complaint was filed only by the second petitioner / second accused and prayed the petitioners to be released on anticipatory bail.

4. On the side of the prosecution, it is stated that totally eight accused involved in the offence. There was a property dispute between the parties. The injured was treated as out patient and prayed the petition to be dismissed.

5. In view of the submission made by both the parties and considering the nature of the offence, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

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 No.II, Kovilpatti, 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 concerned Court, daily at 10.30 a.m. For a period of 15 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 15 days from the date on which the order copy made ready, failing which, the petition for anticipatory bail shall stand dismissed.

sd/-
27/01/2022

/ TRUE COPY /

/ /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 NO.II,
KOVILPATTI.
2. DO-THROUGH : THE CHIEF JUDICIAL MAGISTRATE,
THOOTHUKUDI DISTRICT.
3. THE INSPECTOR OF POLICE,
KAYATHAR POLICE STATION,
THOOTHUKUDI DISTRICT.
4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.M.GOVINDARAJAN, Advocate (SR-455[I] dated 28/01/2022)

ORDER
IN
CRL OP(MD) No.1435 of 2022
Date :27/01/2022

USK/PN/SAR-IV/04.02.2022/3P/6C