



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 28/01/2022

WEB COPY

PRESENT

The Hon`ble Mrs.Justice R.THARANI

CRL OP(MD). No.1476 of 2022

1. S.Kathiresan,
2. K.Poonkodi,
3. M.Packiyam, ... Petitioners/Accused Nos. 1 to 3
Vs

The State Rep. by ,
The Inspector of Police,
Mudhukulathur Police Station,
Ramanathapuram District.
Cr.No.435/2021.

... Respondent/Complainant

For Petitioner : MR.L.Prabakaran, 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.435 of 2021 on the file of the Respondent police.

ORDER : The Court made the following order :-

The petitioners/Accused No.1 to 3, apprehending arrest at the hands of the respondent police for the alleged offence punishable under Sections 448, 294(b), 323 and 506(i) IPC and Section 4 of Tamil Nadu Prohibition of Women Harassment Act, in Crime No.435 of 2021 on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that the petitioners 1 and 2 are husband and wife. The third petitioner is in-laws. The petitioners and the defacto complainant are residing in the same locality and both are neighbours. Due to previous enmity, on 21.12.2021, there was a wordy quarrel between them, thereby the petitioners attacked the defacto complainant and his relatives. Subsequently, they attacked each other. Hence, the case.



3. On the side of the petitioners it is stated that there was only a wordy quarrel between neighbours. The petitioners are innocent.

4. On the side of the prosecution it is stated that due to the previous enmity they indulged in quarrelling with the neighbours and hence a case was registered against both the parties. It is fairly admitted that nobody was injured in the occurrence.

5. Considering the nature of offence and the fact that no one was injured in the occurrence, this Court is inclined to grant anticipatory bail to the petitioners on the following conditions.

6. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or their appearance, before the learned Judicial Magistrate, Muthukulathur and on their executing 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 am for a period of fifteen 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 fifteen 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.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

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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,
MUTHUKULATHUR



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

+1 CC to M/s.L.PRABAKARAN, Advocate (SR-524[I] dated 31/01/2022)

ORDER
IN
CRL OP(MD) No.1476 of 2022
Date :28/01/2022

PKP/SBN/SAR-3/08.02.2022/3P/6C