



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 01/02/2022

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD) . No.1913 of 2022

1. Vallalmaruthu @ Nallamaruthu
2. Muthukumar
3. Kalimuthu
4. Ajithkumar
5. S.Nallukumar
6. Thirumoorthy
7. Alat Mani @ Manikandan

... Petitioners/Accused
No.1 to 7

Vs

State rep.by
The Inspector of Police,
Mandamanickam Police Station,
Ramanthapuram District.
(Crime No.5 of 2022).

... Respondent/Complainant

For Petitioner : M/s.Vishnuram.G., 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 in Crime No.5 of 2022 on the file of the respondent Police.

ORDER : The Court made the following order :-

The petitioners/Accused No.1 to 7, apprehending arrest at the hands of the respondent police for the alleged offence punishable under Sections 147, 148, 294(b), 323, 324, 506(ii) of IPC and Section 4 of Tamil Nadu Harassment of Women Act, in Crime No.5 of 2022 on the file of the respondent police, seek anticipatory bail.



2. The case of the prosecution is that the defacto complainant asked the 1st petitioner's tractor for ploughing his land. Though he agreed to do the same, there was an inordinate delay on the part of the 1st petitioner. When the same was questioned by the defacto complainant and their parties, there was a quarrel arose between them. At that time, the petitioner along with other accused persons attacked the defacto complainant and their family members and threatened 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 this case. There is a counter case in Crime NO.6 of 2022 against the defacto complainant was registered. In the counter case all accused persons were granted anticipatory bail by the trial Court.

4. The learned Government Advocate (Crl. Side) for the respondent police submitted that there is a case in counter case between the parties. Injured in all the cases were discharged from the hospital.

5. Considering the nature of offence, there is a counter case between the parties and the injured in both the cases were discharged from the hospital, 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, Kamuthi, Ramanathapuram District, 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 fifteen days 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/-
01/02/2022

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

ORDER

IN

CRL OP (MD) No.1913 of 2022

Date :01/02/2022

SP/SBN/SAR II/09/02/2022/3P/5C