



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 03/02/2022

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD) . No.2132 of 2022

1. Shanthi

2. Ravi

... Petitioners/Accused No.4 & 5

Vs

State rep.by

The Inspector of Police,
Kabisthalam Police Station,
Kabisthalam,
Thanajvur District.
(Crime No.47 of 2022).

... Respondent/Complainant

For Petitioners : M/s.Ilayaraja R, 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 Cr.No.47 of 2022 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioners/Accused No.4 & 5, apprehending arrest at the hands of the respondent police for the alleged offence punishable under Sections 147, 148, 341, 342, 294(b), 324 & 506(ii) of IPC, in Crime No.47 of 2022 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that when the defacto complainant along with his brother and another went by his two wheeler, the accused persons waylaid them, abused them in filthy language and attacked with wooden log. 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. No one is injured in this case.

4. The learned Government Advocate (Crl. Side) for the respondent police submitted that because of the land dispute between the parties, trouble arose and there is a case in counter case has been registered. No one has been injured. Co-accused has been arrested and remanded in judicial custody.

5. Considering the nature of offence, it is a land dispute between the parties, no one sustained injury and it is a case in counter case, 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 District Munsif cum Judicial Magistrate, Papanasam, 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/-
03/02/2022

/ TRUE COPY /

/ /2022
Sub-Assistant Registrar (C.S.IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TM

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 DISTRICT MUNSIF CUM
JUDICIAL MAGISTRATE,
PAPANASAM.
 2. -DO-THROUGH
THE CHIEF JUDICIAL MAGISTRATE,
THANJORE DISTRICT.
 3. THE INSPECTOR OF POLICE,
KABISTHALAM POLICE STATION,
KABISTHALAM,
THANAJVUR DISTRICT.
 4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- +1. CC to M/S.ILAYARAJA R Advocate SR.No.710

ORDER
IN
CRL OP(MD) No.2132 of 2022
Date :03/02/2022

SP/JM/SAR IV/10/02/2022/3P/6C