



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 18/05/2022

PRESENT

WEB COPY

The Hon`ble Mrs.Justice T.V.THAMILSELVI

CRL OP(MD) . No.9267 of 2022

1. Karupaiah
2. Alagumalai @ Udaiappan
3. Kuruvuthai @ Kuruvammal

4. Selvi ... Petitioners/Accused Nos.2 to 5
Vs

The State represented by
The Inspector of Police,
Saptur Police Station,
Madurai District.
(Crime No.69/2022)..

... Respondent/Complainant

For Petitioners : M/s.Sivaprakash.S,
Advocate.

For Respondent : Mr.M.Sakthikumar,
Government Advocate (Crl.Side)

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

PRAYER :-

For Anticipatory Bail in Crime No.69 of 2022 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioners, who apprehend arrest at the hands of the respondent police for the alleged offences punishable under Sections 147, 148, 294(b), 429, 323, 324, 506(ii) of IPC and Section 4 of Tamil Nadu Prohibition of Women Harassment Act in Crime No.69 of 2022, seek anticipatory bail.

2.The case of the prosecution is that due to civil dispute, there was a wordy quarrel between the petitioners and the defacto complainant. On 07.05.2022, the petitioners attacked the defacto complainant and his family with knife and he sustained injury. Therefore, the present case came to be registered.



3.The learned counsel for the petitioner submitted that the petitioners are innocent persons and they have been falsely implicated in this case. He further submitted that it is a case in counter case.

4.The learned Government Advocate(Crl.side) appearing for the respondent police submitted that the injured has been discharged from the hospital.

5.Considering the facts and circumstances of the case and the nature of allegation levelled against the petitioners, 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, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Munsif cum Judicial Magistrate, Peraiyur, Madurai District, on condition that the petitioners shall execute a bond for a sum of Rs.25,000/- (Rupees Twenty Five thousand only)each with two sureties each for a like sum to the satisfaction of the learned Magistrate concerned and on further conditions that:

[a]the petitioners and the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate may obtain a copy of their Aadhaar card or bank pass book to ensure their identity.

[b]the petitioners shall report before the respondent police as and when required for interrogation.

[c]the petitioners shall not tamper with the evidence or witness either during investigation or trial.

[d]the petitioners shall not abscond either during investigation or trial.

[e]On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioners in accordance with law as if the conditions have been imposed and the petitioners released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in **P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560]**.

sd/-

18/05/2022

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/ /2022

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



TO

1 THE JUDICIAL MAGISTRATE,
PERAIYUR, MADURAI DISTRICT.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
MADURAI DISTRICT.

3 THE INSPECTOR OF POLICE
SAPTUR POLICE STATION, MADURAI DISTRICT.

4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.SIVAPRAKASH S Advocate SR.No.4961

ORDER

IN

CRL OP(MD) No.9267 of 2022

Date :18/05/2022

SS/VR/SAR:IV/23.05.2022 : 3P/6C