



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 18/05/2022

WEB COPY

PRESENT

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

CRL OP(MD) . No.9357 of 2022

1. Ayyanar
2. Jothi

... Petitioners/Accused Nos.1 & 2

Vs

The State rep. by
The Inspector of Police,
Mamsapuram Police Station,
Virudhunagar District.
Crime No.75/2022.

... Respondent/Complainant

For Petitioners : Mr.M.Jegadeesh Pandian,
Advocate.

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

For Intervenor : Mr.Balaji, Advocate.

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

PRAYER :-For Anticipatory bail in Crime No. 75/2022 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 341, 294(b), 323, 354, 354(A), 506(ii) and Section 4 of TNPHW Act, in Crime No.75 of 2022, seek anticipatory bail.

2.The case of the prosecution is that the petitioners and the defacto complainant are neighbors and that on 07.05.2022, due to previous enmity, the petitioners alleged to have been entered into the house of the defacto complainant and abused her with filthy language and attacked her. Therefore, the present case came to be registered.

3.The learned counsel for the petitioner submitted that the petitioners are innocent person and they have been falsely



4.The learned Government Advocate(Crl.side) appearing for the respondent police submitted that the investigation is in progress.

5. The learned counsel appearing for the intervenor has raised objections for the grant of anticipatory bail.

6.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.

7.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 Judicial Magistrate No.II, Srivilliputhur, Virudhunagar 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 first petitioner shall report before the respondent police on every wednesday at 10.30 a.m., for a period of eight weeks and the second petitioner 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

/ TRUE COPY /

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



TO

1 THE JUDICIAL MAGISTRATE NO.II,
SRIVILLIPUTHUR, VIRUDHUNAGAR DISTRICT.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE
VIRUDHUNAGAR DISTRICT AT SRIVILLIPUTHUR.

3 THE INSPECTOR OF POLICE
MAMSAPURAM POLICE STATION,
VIRUDHUNAGAR DISTRICT.

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

+1 CC to MR.M.JEGADEESH PANDIAN, Advocate (SR-4777[I] dated
19/05/2022)

ORDER

IN

CRL OP(MD) No.9357 of 2022

Date :18/05/2022

RMI

MK/PN/SAR.IV/24.05.2022/3P/6C