



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 26/05/2022

WEB COPY

PRESENT

The Hon`ble Mr.Justice P.VELMURUGAN

CRL OP(MD) . No.9653 of 2022

1. Kannan @ Kannadhasan	
2. Udayar @ Kulathan	... Petitioners/Accused Nos.1 & 2
3. Meenakshi @ Babu	... 3 rd Petitioner/Accused
	Rank Not Known

Vs

State represented by
The Inspector of Police,
Seevalaperi Police Station,
Tirunelveli District.
(Crime No.82 of 2022).

... Respondent/Complainant

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

For Respondent : Mr.SS.Madhavan,
Government Advocate (Crl. side)

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

PRAYER :-

For Anticipatory Bail in Crime No.82 of 2022 on the file of the Respondent police.

ORDER : The Court made the following order :-

The petitioners/accused, who apprehend arrest at the hands of the respondent police for the alleged offence under Sections 448, 427 and 379 IPC altered into Sections 147, 148, 448, 427 and 379 IPC, in Crime No.82 of 2022, on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that on 21.05.2022, the de-facto complainant sent an obscene message to the accused family members. Due to the said motive, on 22.05.2022, the petitioners and others entered into the de-facto complainant's house and damaged the household things. Hence, the complaint.

3. The learned counsel for the petitioners would submit that all the prime accused were arrested and remanded to judicial custody and the petitioners are only relatives and they are not involved in this case. Therefore, the petitioners may be granted anticipatory bail.



4. Heard the learned counsel for the petitioners and the learned Government Advocate (Crl.side) and perused the materials available on record.

5. There is no specific overt act against these petitioners and the de-facto complainant is the aggressor and the prosecution case itself shows that due to the obscene message sent against the family members of the petitioners, they have committed the above said offence. The prime accused were already arrested and remanded to judicial custody and if the petitioners are granted anticipatory bail, it is not possible to protract any investigation.

6. Considering the facts and circumstances, the petitioners/accused are directed to surrender before the learned Judicial Magistrate No.III, Tirunelveli, within a period of one week from the date of receipt of a copy of this order and file an application for bail before the Magistrate and if they file an application, the learned Magistrate is directed to consider their bail application, on the same day and pass orders, in accordance with law.

7. With the above directions, this Criminal Original Petition is disposed of.

Sd/-

26/05/2022

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/ /2022

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

CSM/AKV

TO

1. THE JUDICIAL MAGISTRATE NO.III
TIRUNELVELI.
2. -DO- THROUGH
THE CHIEF JUDICIAL MAGISTRATE,
TIRUNELVELI DISTRICT.
3. THE INSPECTOR OF POLICE,
SEVVALAPERI POLICE STATION,
TIRUNELVELI DISTRICT.
4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER

IN

CRL OP(MD) No.9653 of 2022

Date :26/05/2022