



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT  
( Criminal Jurisdiction )  
Date : 30/06/2022

PRESENT

**The Hon`ble Mr.Justice G.ILANGO VAN**  
**CRL OP(MD) . No.9824 of 2022**

WEB COPY

Sureshkannan

... Petitioner/Accused-3

**Vs**

The State rep.by  
The Inspector of Police,  
Kalayarkovil Police Station,  
Kalayarkovil,  
Sivagangai District.  
Crime No. 146/2022.

... Respondent/Complainant

For Petitioner : M/s.KUMARAGURU.V.S, Advocate.  
For Respondent : Mr.B.THANGA ARAVINDH,  
Government Advocate (Crl.Side)

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

**PRAYER :-** For Anticipatory Bail in Crime No.146 of 2022 on the file of the respondent Police.

**ORDER :** The Court made the following order :-

The petitioner/Accused No.3, apprehending arrest at the hands of the respondent police for the alleged offence punishable under Sections 448, 294(b), 323, 324, 506(ii) and 109 of IPC r/w Section 4 of TNPHW Act, in Crime No.146 of 2022 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner is none other than the husband of the defacto complainant. There was a family dispute pending between the parties. Due to which, on 27.05.2022 at about 10.40 p.m, at the instigation of A3 to A6, the petitioner and other accused went to the defacto complainant's house and quarreled with her family members and caused injuries. Hence, the complaint.

3. The learned counsel for the petitioner submitted that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. He further submitted that in this case A1 and A2 have already been arrested and released on bail. He further submitted that the injured was discharged from the hospital and hence, he prays for grant of anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl. Side) for the respondent police submitted that no previous case is pending against the petitioner and the injured was discharged from the hospital.



5. Considering the facts and circumstance of the case and no bad antecedent reported against the petitioner and the injured was discharged from the hospital, this Court is inclined to grant anticipatory bail to the petitioner.

6. Accordingly, this Criminal Original Petition is allowed and the petitioner is ordered to be released on bail in the event of arrest or on his appearance, before the Additional Mahila Court, (Judicial Magistrate Level), Sivagangai, on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties each for a like sum to the satisfaction of the learned Magistrate concerned and the petitioner shall appear before the respondent police daily at 10.30 a.m. until further orders. The petitioner shall comply with the condition stipulated under Section 438 Cr.P.C. Scrupulously.

7. The petitioner 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/-  
30/06/2022

/ TRUE COPY /

/06/2022  
Sub-Assistant Registrar (C.S.)  
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 ADDITIONAL MAHILA JUDGE  
(JUDICIAL MAGISTRATE LEVEL), SIVAGANGAI.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, SIVAGANGAI DISTRICT.
- 3 THE INSPECTOR OF POLICE,  
KALAYARKOVIL POLICE STATION,  
KALAYARKOVIL, SIVAGANGAI DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,  
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

**+1. CC to M/S. KUMARAGURU.V.S Advocate SR.No.6367**

**ORDER IN**

CRL OP(MD) No.9824 of 2022  
Date : 30/06/2022

SA/VR/SAR.4/07.07.2022/2P/6C

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