



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 27/06/2022

WEB COPY

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.9861 of 2022

1.Velmurugan

2.Kompiya

... Petitioners/A1 & A2

Vs

The State rep.by,
The Inspector of Police,
Seithunganallur Police Station,
Thoothukudi District.
Crime.No.77 of 2022.

... Respondent/Complainant

For Petitioners : Mr. Angusamy.V,
Advocate.

For Respondent : Mr.P.Kottai Chamy,
Government Advocate (Crl.Side)

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

PRAYER :-

For Anticipatory Bail in Crime No.77 of 2022 on the file of the Respondent police.

ORDER : The Court made the following order :-

The petitioners/Accused Nos.1 and 2, apprehending arrest at the hands of the respondent police for the alleged offence punishable under Sections 427 and 506(i) I.P.C. and Section 4 of TNPHW Act, in Crime No.77 of 2022 on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that both the accused and the defacto complainant are the neighbours. There was a dispute between them with regard to the alleged encroachment of property, over which the present occurrence said to have been taken place on 14.05.2022 at about 01.00 pm., Subsequently, again at 06.00 pm., the accused person came to the house of the defacto complainant and caused damage to the window glass. Hence, the complaint.



3.The learned Government Advocate (Crl. Side) the respondent police submitted that the damage is worth about Rs.1,000-.

4.It appears that it is a dispute between the neighbours and no previous bad antecedents is reported against the petitioners. Considering the facts and circumstances of the case and also finding that the damage is worth about Rs.1,000/-, this Court is inclined to grant anticipatory bail to the petitioners.

5.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 Judicial Magistrate Court No.2, Srivaikundam, 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 daily at 10.30 a.m. until further orders. The petitioners shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously.

6.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/-

27/06/2022

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/07/2022

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

TO

1.THE JUDICIAL MAGISTRATE NO.2, SRIVAIKUNDAM.

2.DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
THOOTHUKUDI.

3.THE INSPECTOR OF POLICE,
SEITHUNGANALLUR POLICE STATION,
THOOTHUKUDI DISTRICT.

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

ORDER

IN

CRL OP(MD) No.9861 of 2022

Date :27/06/2022