



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 02/06/2022

WEB COPY

PRESENT

The Hon`ble Mrs.Justice R.THARANI

CRL OP(MD) . No.9897 of 2022

1. S.Arulraj
2. Anusiya
3. T.Rajalakshmi

... Petitioners/Accused No.1 to 3

Vs

The State rep.by,
The Inspector of Police,
South Police Station,
Tuticorin,
Tuticorin District.
Crime No.367 of 2022.

... Respondent/Complainant

For Petitioner : Mr.KA.Raamakrishnan,
Advocate.

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

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

PRAYER :-For Anticipatory bail in Crime No.367 of 2022 on the file of the Respondent Police

ORDER : The Court made the following order :-

The petitioners, apprehending arrest at the hands of the respondent police for the alleged offence punishable under Sections 294(b), 323, 355, 506(i) of I.P.C., and Section 4 of TNPHW Act on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that the petitioners and the defacto complainant are neighbours. During the renovation work carried out by the petitioners in their house, there was a wordy quarrel arose between the petitioners and the defacto complainant due to which the petitioner abused the defacto complainant in filthy language and attacked him with hands and broomstick and thereby, the defacto complainant sustained injury. Hence, the complaint.



3.The learned counsel for the petitioners submitted that the petitioners are innocent and they have been falsely implicated in this case.

4.The learned Government Advocate (Crl. Side) for the respondent police submitted that the injured was discharged from the hospital.

5.Considering the nature of offence, the overt act attributed against the petitioners and the fact that the injured was discharged from the hospital, 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, before the learned Judicial Magistrate No.I, Tuticorin, Thoothukudi District, 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., for a period of one month and thereafter, as and when required. The petitioners shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously.

7.The petitioners shall appear before the concerned Magistrate within a period of 15 days from the date, on which the order copy is made ready, failing which, the petition for anticipatory bail stands dismissed.

sd/-
02/06/2022

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE NO.I,
TUTICORIN, THOOTHUKUDI DISTRICT.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE
TUTICORIN DISTRICT.
- 3 THE INSPECTOR OF POLICE
SOUTH POLICE STATION, TUTICORIN, TUTICORIN DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
CRL OP(MD) No.9897 of 2022
Date :02/06/2022

PNM/PJL

<https://hmc.vse.recorder.in/cases/06.2022/2P/5C>