



WEB COPY



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 28/06/2022

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD) . No.10314 of 2022

1. Antony Selvam
2. Josephine Clara
3. Stephen Kasper
4. Albert Selvaraj
5. Albert Sasikumar

... Petitioners/Accused
1,2,3,4 and 5

Vs

State rep.by
The Inspector of Police,
Ambathurai Police Station,
Dindigul District
(Crime No.58 of 2022).

... Respondent/Complainant

For Petitioners : M/s.Vivek Bharathi M, 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.58 of 2022 on the file of the respondent Police.

ORDER : The Court made the following order :-

The petitioners/Accused, apprehending arrest at the hands of the respondent police for the alleged offence punishable under Sections 147, 294(b), 323 IPC r/w Section 4 of Prohibition of Harassment of Women Act, 2002, in Crime No.58 of 2022, on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that on 02.06.2022, the defacto complainant has arranged for baptism for her children. On that day at 11.00AM, the accused persons came there and tried to



assault the defacto complainant and others and they have been abused in filthy language also. Hence, the complaint.

3. The learned counsel for the petitioners submitted that it is a case in counter, based upon the complaint given by the petitioners, a counter case was registered in Crime No.56 of 2022 against the defacto complainant party and that injured was discharged from the hospital. Hence, prays to release them on anticipatory bail.

4. The learned Government Advocate (Crl.Side) appearing for the respondent would submit that based upon the complaint given by the petitioners, case in counter was registered in Cr.No.56 of 2022 against the defacto complainant and party and in both the cases injured were discharged from the hospital. There is no previous cases pending against the petitioners.

5. Considering the petty dispute between the parties, that in both the cases injured were discharged from the hospital, that the petitioners are not having any previous cases at their credit and it is a case in counter, 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.III, Dindigul, 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.

7. 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/-
28/06/2022

/ TRUE COPY /

/07/2022
Sub-Assistant Registrar (C.S.II)
Madurai Bench of Madras High Court,
Madurai - 625 023.



1. THE JUDICIAL MAGISTRATE NO.III
DINDIGUL.

2. -DO- THROUGH
THE CHIEF JUDICIAL MAGISTRATE,
DINDIGUL DISTRICT.

3. THE INSPECTOR OF POLICE,
AMBATHURAI POLICE STATION,
DINDIGUL DISTRICT.

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

ORDER
IN
CRL OP(MD) No.10314 of 2022
Date :28/06/2022

SP/SVR/SAR II/04/07/2022/3P/5C