



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 23/06/2022

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PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.10865 of 2022

1. A.Muthulakshmi

2. A.Thiyagaraj

3. A.Arunijone, ... Petitioners/Accused Nos. 1 to 3

Vs

THE STATE REP BY,
The Inspector of Police,
Rameswaram Police Station,
Ramanathapuram District.
Crime No.149 of 2022.

... Respondent/Complainant

For Petitioner : Mr.S.Malaikani, 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.149 of 2022 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioners are facing charges under Sections 294(b) and 324 I.P.C. and Section 4 of Tamil Nadu Prohibition of Harassment of Women Act, in Crime No.149 of 2022 on the file of the respondent police.

2.The case of the prosecution is that because of the celebration issue between the two neighbours, on 04.05.2022, when the defacto complainant returned to his house, it was found that some of the flowers were damaged and that was questioned with the accused, over which the trouble has arisen between them and the accused person caused injury to the defacto complainant with stones and the other accused persons caused assault with the iron rod and



3.The learned counsel for the petitioners submits that in respect of the very same occurrence, a counter case in Crime No.148 of 2022 has been registered under Section 448, 324 and 379(NH) IPC and Section 4 of TNPWH Act.

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4.Reading of both the FIR shows that because of the aforesaid civil dispute, there was an exchange of words between the two parties, in which both of them sustained injury and both of them were taken to the hospital. In both the cases, the injured has been discharged from the hospital on 09.05.2022.

5.Considering the fact that the injured has been discharged from the hospital on 09.05.2022, 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, Rameswaram, Ramanathapuram District, on condition that the petitioners shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two common sureties each for a like sum to the satisfaction of the learned Magistrate concerned and the petitioners 1 and 3 shall appear before the respondent police daily at 10.30 a.m. until further orders. Insofar as the 2nd petitioner is concerned, he shall appear before the concerned Court on receipt of summon, since he is working in Chennai. The petitioners shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously.

7.The petitioners 1 and 3 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/-

23/06/2022

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/07/2022

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

MM

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 JUDICIAL MAGISTRATE,
RAMESWARAM, RAMANATHAPURAM DISTRICT.

2 DO THROUGH:
THE CHIEF JUDICIAL MAGISTRATE,
RAMANATHAPURAM DISTRICT.

3 THE INSPECTOR OF POLICE
RAMESWARAM POLICE STATION,
RAMANATHAPURAM DISTRICT.

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

+1 CC to M/s.S.MALAIKANI, Advocate (SR-6200[I] dated 27/06/2022)

ORDER
IN
CRL OP(MD) No.10865 of 2022
Date :23/06/2022

PKP/SVR/SAR-1/07.07.2022/3P/6C