



WEB COPY



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 20/07/2022

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP (MD) . No.10850 of 2022

1. K.Manickaselvi
2. M.Ambika
3. K.Palani
4. K.Ramayee
5. M.Muneeshwaran
6. Kalimageshwaran
7. M.Ramapandi
8. M.Satheeshkumar

... Petitioners/Accused
No.1 to 8

Vs

State rep.by
The Inspector of Police,
Sayalkudi Police Station,
Sayalkudi,
Ramanathapuram District.
(Crime No.194/2022)

... Respondent/Complainant

N.Selvi

... Intervening Petitioner/
Defacto/Complainant
(in Crl.M.P. (MD) No.8142/2022)

For Petitioners : M/s.Kannan V, Advocate.

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

For Intervenor : Mr.Porkodi Karnan, Advocate

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

PRAYER :-

For Anticipatory Bail in Cr.No.194/2022 on the file of the
respondent police



ORDER : The Court made the following order :-

The petitioners, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 120(b), 147, 148, 448, 294(b), 324, 307 of IPC, r/w Section 4 of the Tamil Nadu Prohibition of Harassment of Women Act, 1998, in Crime No.194 of 2022 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that due to previous dispute, the petitioners along with other accused attacked the defacto complainant with deadly weapons and caused injuries to him. Hence, the complaint.

3.The learned counsel for the petitioners submitted that the petitioners are innocent persons and they have been falsely implicated in this case. The petitioners have not committed any offence as alleged by the prosecution. He would further submit that the co-accused were arrested and thereafter released on bail within three days from the date of remand.

4.The learned Government Advocate (Crl.Side) appearing for the respondent would submit that the because of the severe injury, nervous system and leg portion are affected and now both legs have been removed.

5.The learned counsel for the intervenor submits that because of the aforesaid occurrence, the defacto complainant's both legs have been removed.

6.On perusal of records, it shows that the co-accused were arrested and thereafter released on bail within three days from the date of remand, on that ground alone, this petition has been filed.

7.The defacto complainant was severely attacked by the petitioners, as a result of which, the defacto complainant's both legs have been removed. Hence, this Court feels that, it is not a fit case for grant of anticipatory bail. Therefore, this Court is not inclined to grant anticipatory bail to the petitioners. Accordingly, this Criminal Original Petition is dismissed and the petitioners shall surrender before the respondent police and thereafter, to workout their remedy through appropriate proceedings.

Sd/-
20/07/2022

/ TRUE COPY /

/ /2022
Sub-Assistant Registrar (C.S.III)
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 INSPECTOR OF POLICE,
SAYALKUDI POLICE STATION,
SAYALKUDI,
RAMANATHAPURAM DISTRICT.
2. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.KANNAN V Advocate SR.No.7393

+1. CC to M/S.POLAX LEGAL SOLUTIONS Advocate SR.No.7393

ORDER

IN

CRL OP(MD) No.10850 of 2022

Date :20/07/2022

SP/SVR/SAR III/02/08/2022/3P/5C