



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 30/06/2022

WEB COPY

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.11116 of 2022

1. Jothimuthu

2. Esakkiyammal @ Esakkiyammai

... Petitioners/Accused No.3&5

Vs

The State rep.by,
The Inspector of Police,
Koodankulam Police Station,
Tirunelveli District.
Crime.No.208 of 2022.

... Respondent/Complainant

For Petitioners: M/s. Anantha Murugan.S.M,
Advocate.

For Respondent : Mr.B.Thanga Aravindh,
Government Advocate (Crl.Side)

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

For Anticipatory Bail in Crime No. 208 of 2022 on the file of
the Respondent police.

ORDER : The Court made the following order :-

The petitioners/Accused No.3 & 5, apprehending arrest at the
hands of the respondent police for the alleged offence punishable
under Sections 147, 148, 341, 294(b), 323, 307 and 506(ii) I.P.C.,
in Crime No.208 of 2022 on the file of the respondent police, seek
anticipatory bail.

2. The case of the prosecution is that on 03.05.2022, at about
08.50 p.m, when the defacto complainant returning to his house, the
accused person came there and assaulted him with aruval and hands.
On seeing the above said incident, the wife and the other neighbours
and the accused person fled away from the place of



occurrence. After causing severe assault, he was taken to the hospital. 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 there was trouble between the accused with regard to the property. Subsequent to the above said occurrence, Peace Committee Meeting was conducted on 20.05.2022. Wherein, both the parties participated and amicable settlement was arrived. By which, the defacto complainant has agreed to withdraw the suit in O.S.No.46 of 2021. In turn, it was agreed, daughter will be assigned with two cents of land. Both the parties have agreed the above said terms. As on date, there was no trouble.

5. Even though, the first petitioner is having one previous case in Crime NO.64 of 2021, in view of the compromise reached between the parties, no prosecution going to be undertaken, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

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, Radhapuram, Tirunelveli 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. 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/-
30/06/2022

/ TRUE COPY /

/ /2022
Sub-Assistant Registrar (C.S.)
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



TO

1. THE JUDICIAL MAGISTRATE,
RADHAPURAM, TIRUNELVELI DISTRICT.
 2. DO-THROUGH THE CHIEF JUDICIAL MAGISTRATE,
TIRUNELVELI DISTRICT.
 3. THE INSPECTOR OF POLICE,
KODANKULAM POLICE STATION,
TIRUNELVELI DISTRICT. CRIME.NO.208 OF 2022.
 4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- +1. CC to M/S. ANANTHA MURUGAN.S.M Advocate SR.No.6395

ORDER
IN
CRL OP(MD) No.11116 of 2022
Date :30/06/2022

RK/JM/SAR-II/07.07.2022 : 3P/6C