



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Date : 23/06/2022

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.11194 of 2022

WEB COPY

Palani @ Palanisamy

... Petitioner/Accused No.2

Vs

State Rep.by
The Inspector of Police,
Sivagangai Taluk Police Station,
Sivagangai District.
Crime No.126 of 2022.

... Respondent/Complainant

For Petitioner : M/s.Krishnaveni P,
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.126 of 2022 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/Accused No.2, apprehending arrest at the hands of the respondent police for the alleged offence punishable under Sections 294(b), 427, 336 and 506(2) I.P.C, in Crime No.126 of 2022 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that due to previous enmity over the property, on 27.05.2022, the petitioner along with other accused person said to have trespassed into the house of the defacto complainant and abused her in filthy language and also damaged CCTV Camera, which was fitted in the house of the defacto complainant and threatened her with dire consequences. Hence, the complaint.

3.The learned counsel for the petitioner submitted that the petitioner is innocent and he has been falsely implicated in this case. He further submitted that CCTV Camera was damaged by the first accused not by the petitioner and no previous case is pending against the petitioner. Hence, he prays for grant of anticipatory bail to the petitioner.

4.The learned Government Advocate (Crl. Side) for the respondent police submitted that the defacto complainant and the



petitioner are close relatives. Because of the above said property issue, the petitioner alleged to have trespassed into the house of the defacto complainant and caused damage to the CCTV Camera. No previous case is pending against the petitioner.

5.The learned counsel for the petitioner would submit that he is ready to pay a sum of Rs.5,000/- (Rupees Five Thousand only) to the credit of Cr.No.126 of 2022 before the trial Court concerned.

6.Considering the facts and circumstance of the case and also considering the fact that the petitioner is not having no bad antecedents and his willingness to pay a sum of Rs.5,000/- (Rupees Five Thousand only) to the credit of Crime Number, this Court is inclined to grant anticipatory bail to the petitioner.

7.Accordingly, this Criminal Original Petition is allowed on condition that the petitioner shall deposit a sum of Rs.5,000/- (Rupees Five Thousand only) to the credit of Cr.No.126 of 2022 before the trial Court concerned, without prejudice to his rights and contentions before the trial Court.

8.On such deposit being made, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, before the learned Judicial Magistrate-No.II, Sivagangai District, on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties each for a like sum to the satisfaction of the learned Magistrate concerned and the petitioner shall appear before the respondent police daily at 10.30 a.m. until further orders. The petitioner shall comply with the condition stipulated under Section 438 Cr.P.C. Scrupulously.

9.The petitioner 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

/ 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 concerned.



TO

1 THE JUDICIAL MAGISTRATE NO.II, SIVAGANGAI DISTRICT.

2 DO-THROUGH : THE CHIEF JUDICIAL MAGISTRATE, SIVAGANGAI DISTRICT.

3 THE INSPECTOR OF POLICE, SIVAGANGAI TALUK POLICE STATION,
SIVAGANGAI DISTRICT.

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

+1 CC to M/s.P.KRISHNAVENI, Advocate (SR-6080[I] dated 24/06/2022)

ORDER

IN

CRL OP(MD) No.11194 of 2022

Date :23/06/2022

RS/PN/SAR.1 (28.06.2022) 3P-6C