



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

Date : 24/06/2022
PRESENT

WEB COPY

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD) . No.11247 of 2022

1. Poomozhi

2. Rajasekar

... Petitioners/Accused Nos.1 & 2

Vs

The State rep.by
The Inspector of Police,
Kumbakonam East Police Station,
Thanjavur District
(Crime No 445 of 2022).

... Respondent/Complainant

For Petitioner : M/s.MITHUN.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. 445 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 294(b), 506(i) I.P.C, in Crime No.445 of 2022 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that there was a complaint received by the Bar Association, Kumbakonam, against the first petitioner, who is a practicing Advocate in Kumbakonam area. Hence, a show cause notice has been issued to the first petitioner. The first petitioner is the wife of the second petitioner. On 14.06.2022 at about 04.15PM, the petitioners had entered into the bar association and threatened the Association President and other office bearers, with dire consequences and abused in a filthy



language, when the defacto complainant had insisted that the petitioner to show the ID card and enrolment certificate. Hence, the complaint.

3. The learned counsel for the petitioners submitted that on the date of occurrence, the second petitioner was not allowed to enter into the Bar Association and due to that trouble arose between the parties. The petitioners are innocent and they have been falsely implicated in this case. Hence, prays to release them on anticipatory bail.

4. The learned Government Advocate (Crl. Side) for the respondent police submitted that there was a problem between the first petitioner, who is a practicing Advocate and the Bar Association.

5. Considering the above said facts, nature of dispute between the parties and the overt act attributed against the petitioners, 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.I, Kumbakonam, Thanjavur 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. Further, the petitioners must co-operate with the defacto complainant and settle the issue amicably. 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/-

24/06/2022

/ TRUE COPY /

/07/2022

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

TO

1 THE JUDICIAL MAGISTRATE No.I
KUMBAKONAM.

<https://www.mhc.tn.gov.in/judis>



2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
THANJAVUR DISTRICT AT KUMBAKONAM.

3 THE INSPECTOR OF POLICE,
KUMBAKONAM EAST POLICE STATION,
THANJAVUR DISTRICT.

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

+1. CC to M/S.MITHUN.M Advocate SR.No.6129

ORDER

IN

CRL OP(MD) No.11247 of 2022

Date :24/06/2022

SA/PN/SAR.2/04.07.2022/3P/6C