



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

Date : 30/06/2022

PRESENT

The Hon`ble Mr.Justice **G.ILANGOVAN**

CRL OP(MD). No.11678 of 2022

WEB COPY

Maruthupandi

... Petitioner/Accused No.1

Vs

The State rep.by,
The Inspector of Police,
Sengipatti Police Station,
Thanjavur District.
Cr.No.221/2022.

... Respondent/Complainant

For Petitioner : M/s.Madhavan S,
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 Cr.No.221/2022 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner/Accused No.1, apprehending arrest at the hands of the respondent police for the alleged offence punishable under Sections 109, 294(b), 324, 307 and 506(ii) I.P.C, in Crime No.221 of 2022 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that there was civil dispute between the defacto complainant family and the accused family in respect of purampoke land. Due to which, there was frequent trouble. Later, it was compromised at the intervention of the villagers. Two months much prior to the date of occurrence, threat was made by the accused to her husband. As a sequence to that, on 10.05.2022, at about 08.00 a.m, again trouble has arisen between the parties. At about 10.45 p.m, the accused person came there and caused severe assault to her husband. On getting information, she went to the hospital. As per the information given by the injured, she has written 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 it is a case and case in counter. The injured was discharged from the hospital and no previous case is pending against the petitioner.



4.The learned Government Advocate (Crl.Side) would submit that on the same day at about 08.30 a.m, there was a counter case that the sister of the petitioner assaulted by the defacto complainant. Over which, a case in Crime No.223 of 2022 has been registered.

5.The learned counsel for the petitioner would submit that as a sequence of the above said assault only, trouble has been arisen between the parties. Out of sudden provocation, the petitioner said to have assaulted the husband of the defacto complainant with aruval.

6..The learned Government Advocate (Crl.Side) would submit that in this case, the petitioner was arrayed as first accused. He said to have assaulted the injured person with aruval and caused severe head injury and injured was discharged from the hospital on 25.06.2022. No previous case is pending against the petitioner. The co-accused has been arrested and later, released on bail by the learned Principal District Judge, Trichy.

7.Considering the facts and circumstances of the case and also considering the fact that quarrel arose between the parties with regard to land dispute, counter case has been registered against the defacto complainant and no bad antecedents reported against the petitioner, this Court is inclined to grant anticipatory bail to the petitioner.

8.Accordingly, this Criminal Original Petition is allowed and petitioner is ordered to be released on bail in the event of arrest or on his appearance, before the learned Judicial Magistrate No.III, Thanjavur, 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/-

30/06/2022

/ TRUE COPY /

/07/2022

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.III,
THANJAVUR.
 - 2.DO-THROUGH THE CHIEF JUDICIAL MAGISTRATE,
THANJAVUR DISTRICT.
 - 3.THE INSPECTOR OF POLICE,
SENGIPATTI POLICE STATION,
THANJAVUR DISTRICT. CR.NO.221/2022.
 4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- +1. CC to M/S.M.KARTHIKEYA VENKITACHALAPATHY, Advocate SR.No.6355

ORDER
IN
CRL OP(MD) No.11678 of 2022
Date :30/06/2022

RK/SVR/SAR-IV/07.07.2022 : 3P/6C