



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 01/07/2022

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP (MD) . No.11767 of 2022

WEB COPY

1.Kamatchi
2.Sivapandi

... Petitioners/Accused No.1&2

Vs

State Rep.by
The Inspector of Police,
Viruveedu Police Station,
Dindigul District.
Crime.No.136/2022.

... Respondent/Complainant

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

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

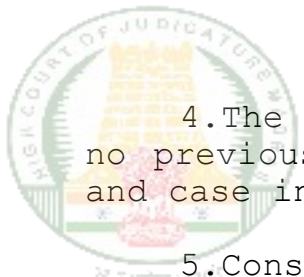
PRAYER :- For Anticipatory Bail in Crime No.136 of 2022 on the file of the Respondent police.

ORDER : The Court made the following order :-

The petitioners/Accused Nos.1 and 2, apprehending arrest at the hands of the respondent police for the alleged offence punishable under Sections 294(b), 324 and 506(ii) of IPC and Section 3 of TNPPDL Act, in Crime No.136 of 2022 on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that on 26.06.2022 at about 3.00 p.m when the defacto complainant, who is servicing as Home Guard along with other Home Guards went to nearby Vathalpatti Bus Stop by Police vehicle, the driver of the Government vehicle dashed against two wheeler, due to which, the petitioners said to have abused the defacto complainant by using filthy language and also broken the back side of the vehicle by pelting stone. Hence, the complaint.

3.The learned counsel for the petitioners submitted that the petitioners are innocent persons and they have not committed any offence as alleged by the prosecution. He further submitted that a case in counter has been registered against the defacto complainant in Crime No.135 of 2022. Hence, he prays for grant of anticipatory bail to the petitioners.



4.The learned Government Advocate (Crl.Side) would submit that no previous case is pending against the petitioners. It is a case and case in counter.

5.Considering the fact that it is a case and case in counter and no bad antecedents reported against the petitioners, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

6.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.136 of 2022 before the trial Court concerned, without prejudice to his rights and contentions before the trial Court.

7.On such deposit being made, 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, Nilakkottai, Dindigul 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.

8.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/-
01/07/2022

/ TRUE COPY /

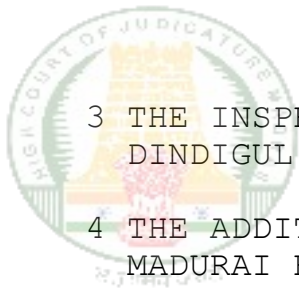
/07/2022
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

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, NILAKKOTTAI, DINDIGUL DISTRICT.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, DINDIGUL DISTRICT.



3 THE INSPECTOR OF POLICE, VIRUVEEDU POLICE STATION,
DINDIGUL DISTRICT.

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

+1 CC to M/s.P.SENGUTTUARASAN, Advocate (SR-6536[I] dated
04/07/2022)

ORDER

IN

CRL OP(MD) No.11767 of 2022

Date :01/07/2022

RS/PN/SAR.2 (07.07.2022) 3P-6C