



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 19/07/2022

PRESENT

The Hon`ble Mr.Justice G.ILANGOVAN
CRL OP(MD) . No.12216 of 2022

WEB COPY

1. S.Manikandaraja
2. K.Shanthi
3. K.Suthan

... Petitioners/Accused 1 to 3

Vs

The State rep.by
The Inspector of Police,
S.T.Kulam Police Station,
Southu Tamaraikulam,
Kanyakumari District.
(Ref:Crime No.125/2022)

... Respondent/Complainant

For Petitioners : M/s.SARAVANAKUMAR S, 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.125 of 2022 on the file of the Respondent police.

ORDER : The Court made the following order :-

The petitioners, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 294(b), 323 and 506(i) of IPC and Section 4 of Women Harassment Act, in Crime No.125 of 2022 on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that due to property dispute, the petitioners along with other accused abused the defacto complainant in filthy language and also attacked him with wooden log and sticks and caused injuries to him. Therefore, the present case came to be registered.

3.The learned counsel for the petitioner submitted that the petitioners are innocent persons and they have been falsely implicated in this case. The petitioners have not committed any offence as alleged by the prosecution. He would further submit that the petitioners and the defacto complainant are close relatives.

4.The learned Government Advocate (Crl.Side) appearing for the respondent would submit the injured has been discharged from the hospital and no previous case is pending against these petitioners.



5. Considering the facts and circumstances of the case, so the fact that the injured has been discharged from the hospital, this Court is inclined to grant bail to the petitioners, however, with stringent conditions.

6. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or their appearance, before the learned Judicial Magistrate Court No.III, Nagercoil, Kanyakumari District, and on their executing 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 on every Saturday at 10.30 am until further orders. The petitioners shall comply with the conditions stipulated under Section 438 Cr.P.C. scrupulously.

7. The petitioners shall appear before the concerned Magistrate within a period of fifteen days from the date on which the order copy made ready, failing which, the petition for anticipatory bail stands dismissed.

sd/-

19/07/2022

/ 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 COURT NO.III, NAGERCOIL,
KANYAKUMARI DISTRICT.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
KANYAKUMARI DISTRICT AT NAGERCOIL.
- 3 THE INSPECTOR OF POLICE,
S.T.KULAM POLICE STATION,
SOUTHU THAMARAikulam, KANYAKUMARI DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER IN

CRL OP(MD) No.12216 of 2022
Date : 19/07/2022

SA/PN/SAR.1/29.07.2022/2P/5C

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