



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 21/07/2022

WEB COPY

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.12237 of 2022

1. Panneerselvam
2. Saraswathi
3. Manikandan

... Petitioners/Accused No.1 to 3

Vs

The State rep.by,
The Inspector of Police,
Valliyoor Police Station,
Tirunelveli District.
Crime.No.154 of 2022.

... Respondent/Complainant

For Petitioner : MR.T.A.Ebenezer,
Advocate.

For Respondent : Mr.B.Thanga Aravindh,
Government Advocate (Crl.Side)

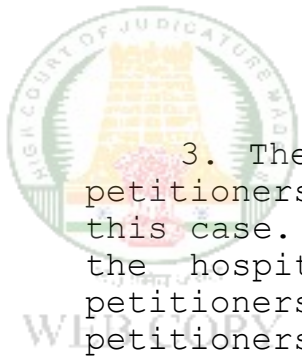
PETITION FOR ANTICIPATORY BAIL Under Sec.438 of Cr.P.C

PRAYER :-For Anticipatory Bail in Crime No.154 of 2022 on the file of the Respondent police.

ORDER : The Court made the following order :-

The petitioners/Accused No.1 to 3, apprehending arrest at the hands of the respondent police for the alleged offences punishable under Sections 294(b), 323, 324 and 506(ii) of I.P.C., in Crime No.154 of 2022 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that the defacto complainant lodged a complaint stating that there is property dispute between the father and the paternal uncle of the defacto complainant. Because of the above said previous enmity, on 25.06.2022, at about 02.30 p.m, when the defacto complainant along with his family members went to their field, the accused persons came there and damaged the crops. When that was questioned, they assaulted them and abused them in filthy language. At the intervention of the neighbours, further attack was averted. Based upon the complaint given by the defacto complainant, present case has been registered against the petitioners.



3. The learned counsel for the petitioners submitted that the petitioners are innocent and they have been falsely implicated in this case. He further submitted that the injured was discharged from the hospital and no bad antecedents is reported against the petitioners. Hence, he prays for grant of anticipatory bail to the petitioners.

4. When the matter was taken up for hearing on 07.07.2022, the learned Government Advocate (Crl. Side) has submitted that the injured not yet discharged from the hospital. Now, he submitted that the injured have sustained only simple injury and discharged from the hospital and no bad antecedent is reported against the petitioners.

5. Considering the facts and circumstances of the case and also considering the fact that it is dispute between two brothers, the injured were discharged from the hospital and no bad antecedents is reported 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, Valliyoor, Tirunelveli 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.

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/-

21/07/2022

/ 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
VALLIYOOR TIRUNELVELI DISTRICT.

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

3 THE INSPECTOR OF POLICE
VALLIYOOR POLICE STATION, TIRUNELVELI DISTRICT.

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

+1 CC to M/s.T.A.EBENEZER, Advocate (SR-7494[I] dated 22/07/2022)

ORDER

IN

CRL OP(MD) No.12237 of 2022

Date :21/07/2022

dss

MK/VR/SAR.I/29.07.2022/3P/6C