



WEB COPY



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

Date : 18/07/2022

PRESENT

**The Hon`ble Mr.Justice G.ILANGO VAN**

**CRL OP(MD) . No.12452 of 2022**

G.Senthil Kumar

... Petitioner/Accused No.4

Vs

State rep.by  
The Inspector of Police,  
Vadaseri Police Station,  
Kanyakumari District.  
(Crime.No.182 of 2022).

... Respondent/Complainant

For Petitioner : Mr.Suresh Manickam.S, Advocate.

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

For Intervenor : Mr.D.Saravanan, Advocate

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

PRAYER :-

For Anticipatory Bail in Crime No.182 of 2022 on the file of the Respondent police.

ORDER : The Court made the following order :-

The petitioner is facing charges under Sections 147, 294(b), 342 and 506(ii) IPC in Crime No.182 of 2022 on the file of the respondent police.

2.On 11.07.2022, one Mr.D.Saravanan, learned counsel proposed to file an intervening petition on behalf of the defacto complainant. For that purpose, the matter was directed to be listed today. However, there is no representation for the intervenor today.



3.The case of the prosecution is that the defacto complainant is a practising advocate in Nagercoil. Before the Family Court, Nagercoil, DOP.No.1134 of 2022 is pending between one Mahesh and his wife. There was compromise between the parties in the presence of the advocate and the wife agreed to get her articles back. On the basis of the aforesaid compromise, on 01.07.2022 at about 04.00 pm., he along with his junior advocate went to the house of the accused person along with the aforesaid wife. When they demanded compliance of the aforesaid compromise, they were abused and also criminally intimidated, based upon which the case has been registered.

4.The learned counsel for the petitioner submits that the petitioner is noway involved in the dispute between the defacto complainant and the other accused persons, who are the parties in the aforesaid matrimonial proceeding. The petitioner is only the adjacent house owner and in the FIR, bald allegation has been made against this petitioner.

5.Since the petitioner is not involved in the dispute between the husband and wife, this Court is inclined to grant anticipatory bail to the petitioner.

6.Accordingly, this Criminal Original Petition is allowed and the petitioner is ordered to be released on bail in the event of arrest or on his appearance, before the Judicial Magistrate Court, Valliyoor, 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.

7.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 shall stand dismissed.

Sd/-  
18/07/2022

/ TRUE COPY /

/07/2022  
Sub-Assistant Registrar (C.S.IV)  
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.

WEB COPY

TO

1. THE JUDICIAL MAGISTRATE,  
VALLIYOOR.
2. -DO- THROUGH  
THE CHIEF JUDICIAL MAGISTRATE,  
TIRUNELVELI DISTRICT.
3. THE INSPECTOR OF POLICE,  
VADASERI POLICE STATION,  
KANYAKUMARI DISTRICT.
4. THE ADDITIONAL PUBLIC PROSECUTOR,  
MADURAI BENCH OF MADRAS HIGH COURT,  
MADURAI.

+1. CC to M/S.SURESH MANICKAM.S Advocate SR.No.7310

+1. CC to M/S.D.SARAVANAN Advocate SR.No.7242

ORDER  
IN  
CRL OP(MD) No.12452 of 2022  
Date :18/07/2022

SP/SVR/SAR IV/27/07/2022/3P/7C