



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 12/07/2022

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.12491 of 2022

WEB COPY

1. Boopathiraja
2. Prasanth
3. Vinodhini
4. Murugeswari
5. Subbu Raj
6. Maheswari
7. Kuberan @ Subbaiah
8. Mareeswari
9. Mahendran @ Chinnathambi

... Petitioners/Accused No.1 to 9

Vs

The State Rep. By,
The Inspector of Police,
Alangulam Police Station,
Virudhunagar District.
(Crime No. 78 of 2022).

... Respondent/Complainant

For Petitioners: M/s. Sethu Surendhar.G, 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. 78 of 2022 on the file of the respondent Police.

ORDER : The Court made the following order :-

The petitioners/Accused No.1 to 9, apprehending arrest at the hands of the respondent police for the alleged offence punishable under Sections 147, 148, 294(b), 323, 324 and 506(ii) I.P.C, in Crime No.78 of 2022 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that the defacto complainant's brother got married to one Vinodhini. Because of difference of opinion, he filed HMOP petitioner for divorce before the Sub Court, Srivilliputtur and it is pending. On 29.06.2022, when the defacto complainant along with his friends went to Valayapatti to pick up his brother, the accused persons said to have abused him in filthy language and assaulted him with stones and stick and caused injury. Hence, present FIR has been registered against the



3. The learned counsel for the petitioners submitted that the petitioners are innocent and they have been falsely implicated in this case.

4. The learned Government Advocate (Crl. Side) for the respondent police submitted that it is a case and case in counter. It appears that there was dispute between the husband and wife and they also living separately. Over which, FIRs in Crime No.75 of 2022 and Crime No.78 of 2022 have been registered against both the parties. In both cases, injured were discharged from the hospital.

5. Reading of the FIRs shows that after marriage, the brother of the defacto complainant suspected the fidelity of his wife. Due to which, the wife was harassed and criminally intimidated. Even though, there was compromise, later, harassment was continued. Over which, HMOP.No.122 2020 is also pending before the Sub Court, Srivilliputhur. On 29.06.2022, trouble arose between the parties. In which, both sides, exchanged blows against each other and caused injury.

6. Considering the facts and circumstances of the case and also considering the fact that it is a case and case in counter and the injured were discharged from the hospital in both the cases, this Court is inclined to grant anticipatory bail to the petitioners.

7. 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 No.II, Sathur, 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/-
12/07/2022

/ TRUE COPY /

/07/2022

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



TO

1. THE JUDICIAL MAGISTRATE NO.II,
SATHUR.
2. DO-THROUGH : THE CHIEF JUDICIAL MAGISTRATE,
VIRUTHUNAGAR DISTRICT AT SRIVILLIPUTHUR.
3. THE INSPECTOR OF POLICE,
ALANGULAM POLICE STATION,
VIRUDHUNAGAR DISTRICT.
4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.G.SETHU SURENDHAR, Advocate (SR-6935[I] dated
12/07/2022)

ORDER
IN
CRL OP(MD) No.12491 of 2022
Date :12/07/2022

dss
USK/SVR/SAR-I/18.07.2022/3P/6C