



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

Date : 19/07/2022

PRESENT

WEB COPY

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD) . No.12968 of 2022

1. Charles @ Chandrabose
2. Mohan
3. Jeeva
4. Saranya

... Petitioners/Accused No.1 to 4

Vs

The State Rep. By,
The Inspector of Police,
Saptur Police Station,
Madurai District.
Crime No.108 of 2022.

... Respondent/Complainant

For Petitioners: M/s.Senthil Murugan C,
Advocate.

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

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

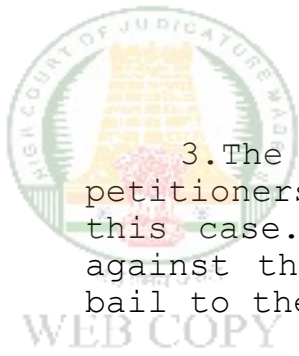
PRAYER :-

For Anticipatory Bail in Crime No.108 of 2022 on the file of
the Respondent Police.

ORDER : The Court made the following order :-

The petitioners/Accused No.1 to 4, apprehending arrest at the
hands of the respondent police for the alleged offences punishable
under Sections 294(b), 323, 341, 506(i) I.P.C. and Section 4 of
TNPHW Act, 2002, in Crime No.108 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 on 13.07.2022, at about 11.30 a.m,
she requested the accused persons to perform the customary seer.
But, that was refused and she was abused in filthy language and
assaulted with wooden log. Hence, the complaint.



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 no previous case is pending against the petitioners. Hence, he prays for grant of anticipatory bail to the petitioners.

4.The learned Government Advocate (Crl. Side) for the respondent police submitted that the defacto complainant and the accused persons are close relatives. Trouble arose between them over the simple issue of giving seer to the defacto complainant. No bad antecedents is reported against the petitioners.

5.Considering the facts and circumstances of the case and also considering the fact that it is a dispute between close relatives with regarding to give seer and no bad antecedent 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, Peraiyur, 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 1,2 & 3 shall appear before the respondent police daily at 10.30 a.m. until further orders and the fourth petitioner is having 40 days child she shall appear before the respondent police once in a month 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/-

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,
PERAIYUR.

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

3. THE INSPECTOR OF POLICE,
SAPTUR POLICE STATION,
MADURAI DISTRICT.

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

+1 CC to M/s.C.SENTHIL MURUGAN, Advocate (SR-7453[I] dated
21/07/2022)

ORDER

IN

CRL OP(MD) No.12968 of 2022

Date :19/07/2022

dss

USK/SVR/SAR-I/29.07.2022/3P/6C