



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 20/07/2022

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.13043 of 2022

WEB COPY

1.Sakthivel
2.Kulandaivel
3.Priya @ Rajinipriya

... Petitioners/Accused No.1 to 3

Vs

State Rep.by
The Inspector of Police,
Kottampatti Police Station,
Madurai District.
Crime No.237 of 2022.

... Respondent/Complainant

For Petitioners : M/s.Balaji 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.237 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) and 323 of I.P.C. and Section 4 of the Tamil Nadu Prohibition of Harassment of Women Act, in Crime No.237 of 2022 on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution as per the complaint given by the defacto complainant is that there was matrimonial dispute between herself and the first accused. As per the allegation, the first accused/husband making some sort of trouble and had illegal intimacy with his sister-in-law. On 13.07.2022, at about 10.00 p.m, the defacto complainant was in the house along with others, the accused persons came there and picked up quarrel with her and abused her in filthy language and assaulted her with stick. Based upon the complaint given by the defacto complainant, case has been registered against the accused persons.

3.The learned counsel for the petitioners submitted that the petitioners are innocent and they have been falsely implicated in this case. No previous case is pending against the petitioners and



injured sustained only simple injury. Hence, he prays for anticipatory bail to the petitioners.

4.The learned Government Advocate (Crl. Side) for the respondent police submitted that it is a dispute between the husband and wife. No previous antecedents is reported against the petitioners. The injured sustained only simple injury.

5.Considering the facts and circumstances of the case and also considering the fact that it is a dispute between the husband and wife, the injured sustained only simple injury and no bad antecedents 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, Melur, Madurai 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/-

20/07/2022

/ 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, MELUR, MADURAI DISTRICT.

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



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

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

+1 CC to M/s.S.BALAJI, Advocate (SR-7400[I] dated 21/07/2022)

ORDER

IN

CRL OP(MD) No.13043 of 2022

Date :20/07/2022

RS/SVR/SAR.3 (27.07.2022) 3P-6C