



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 25/07/2022

WEB COPY

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.13397 of 2022

1. Karthi @ Karthigaiselvam,

2. Moorthy,

... Petitioners/Accused No.1 & 2

Vs

State Rep.by
The Inspector of Police,
Kariapatti Police Station,
Virudhunagar District.
Crime No.173 of 2022.

... Respondent/Complainant

For Petitioner : MR.S.Prabhu, Advocate.

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

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

PRAYER :-

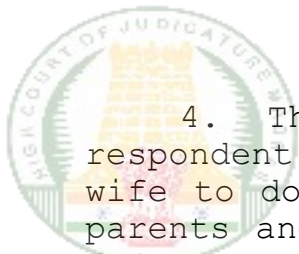
For Anticipatory Bail in Crime No.173 of 2022 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioners/Accused, apprehending arrest at the hands of the respondent police for the alleged offence punishable under Sections 294(b), 324, 307 and 379(NP) IPC in Crime No.173 of 2022 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that there was a domestic issue between the husband and wife, for which, case and case in counter has been registered. 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 would further submit counter case has also been registered against the defacto complainant.



4. The learned Government Advocate (Crl. Side) the respondent police submitted that the defacto complainant asked the wife to do domestic work properly, which was intimidated by her to parents and relatives. Due to which, they came and assaulted the defacto complainant and his family members and that there was a wordy quarrel arose between them. The petitioners herein also gave a complaint and the same was registered in Crime No.174 of 2022. He would further submit that mobile phone worth about Rs.11,000/- was taken by the petitioners and the injured has been discharged from the hospital.

5. Considering the nature of offence, the overt act attributed against the petitioners, the injured person has been discharged from the hospital, this Court is inclined to grant anticipatory bail to the petitioners.

6. Accordingly, this Criminal Original Petition is allowed on condition that the petitioners shall deposit a sum of Rs.11,000/- (Rupees Eleven Thousand only) to the credit of Cr.No.173 of 2022 before the trial Court concerned, without prejudice to their rights and contentions before the trial Court.

7. On such deposit being made, 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, Virudhunagar, Virudhunagar 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 once in a week i.e., on every Monday at 10.30 am 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/-
25/07/2022

/ 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,
VIRUDHUNAGAR, VIRUDHUNAGAR DISTRICT.



- 2 DO THROUGH:
THE CHIEF JUDICIAL MAGISTRATE,
VIRUDHUNAGAR DISTRICT AT SRIVILLIPUTHUR.
- 3 THE INSPECTOR OF POLICE
KARIAPATTI POLICE STATION,
VIRUDHUNAGAR DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.S.PRABHU, Advocate (SR-7720[I] dated 27/07/2022)

ORDER

IN

CRL OP(MD) No.13397 of 2022

Date :25/07/2022

PKP/JM/SAR-1/27.07.2022/3P/6C