



WEB COPY



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 27/07/2022

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD) . No.13577 of 2022

1. Karuppasamy
2. Eswari

... Petitioners/Accused
Nos.1 & 2

Vs

State rep.by
The Inspector of Police,
Nallatinputhur Police Station,
Thoothukudi District.
(Crime No.389 of 2021).

... Respondent/Complainant

For Petitioners : M/s.Prabu.M, Advocate.

For Respondent : M/s.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.389 of 2021 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), 323 and 506(ii) I.P.C, in Crime No.389 of 2021 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that the defacto complainant and the accused persons are neighbours and the accused person putting Septic tank in his property and the water leaking from the septic tank and that there was a trouble between them. On 14.10.2021, when the defacto complainant was standing in front of his house, the accused persons came there and abused and caused assault with wooden stick. Hence, the complaint.



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

4. The learned Government Advocate (Crl. Side) for the respondent police submitted that for the very same occurrence counter case given by the petitioners and the same was registered in Crime No.388 of 2021 and both side parties are injured and the injury is simple in nature and there is no previous case against the petitioners.

5. Considering the nature of offence, the overt act attributed against the petitioner, 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 and petitioners are ordered to be released on bail in the event of arrest or on their appearance, before the learned Judicial Magistrate No.I, Kovilpatti, Thoothukudi 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 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 stands dismissed.

Sd/-
27/07/2022

/ TRUE COPY /

/08/2022
Sub-Assistant Registrar (C.S.II)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TRP

TO

1. THE JUDICIAL MAGISTRATE NO.I,
KOVILPATTI, THOOTHUKUDI DISTRICT.



2. -DO- THROUGH
THE CHIEF JUDICIAL MAGISTRATE,
THOOTHUKUDI DISTRICT.

3. THE INSPECTOR OF POLICE,
NALLATINPUTHUR POLICE STATION,
THOOTHUKUDI DISTRICT.

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

+1. CC to M/S. PRABU.M Advocate SR.No.7740

ORDER
IN
CRL OP(MD) No.13577 of 2022
Date :27/07/2022

SP/SVR/SAR II/02/08/2022/3P/6C