



WEB COPY

CRL OP(MD). N



22

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

Date : 18/08/2022

PRESENT

The Hon`ble Mr.Justice G.ILANGOVAN

CRL OP(MD). No.14344 of 2022

1. Hakkim,
2. Riyas,
3. Gani @ Mohammed Gani Settu, ... Petitioners/Accused Nos. 1 to 3

Vs

State Rep.by
The Inspector of Police,
Ariyamangalam Police Station,
Trichy City,
Trichy District.
(Crime No.866/2022).

... Respondent/Complainant

For Petitioner : M/s.Krishnan S, Advocate.

For Respondent : Mr.P.Kottaichamy
Government Advocate (Crl.Side)

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

PRAYER :-

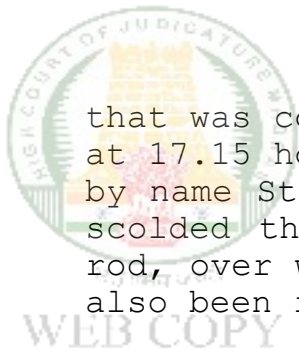
For Anticipatory bail in Crime No.866/2022 on the file of the Respondent Police.

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), 323, 324 and Section 4 of Tamil Nadu Prohibition of Harassment of Women Act, 2002, in Crime No.866 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 due to the previous enmity, the respondent police is undertaking by the respondent police and thereafter,

<https://www.mca.gov.in/judis>



that was compromise entered into between the parties. On 3.8.22 at 17.15 hours when the defacto complainant's son and another person by name Stephen were drinking tea in his shop, the accused persons scolded them in filthy language and also caused assault with iron rod, over which all the persons got injured and the counter case has also been registered in Crime No.867 of 2022.

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 the petitioners have filed an undertaking affidavit before the respondent police that they will not indulge in such activities in future.

4. The learned Government Advocate (Crl. Side) for the respondent police submitted that this is case and case in counter and it is small petty issue and the investigation of the case is pending. He would further submit that the injured has been discharged from the hospital.

5. Considering the nature of offence, the overt act attributed against the petitioners and also considering the undertaking affidavit filed by 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 Additional Mahila Court, Trichy, 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.

8. If any violation is noticed against the undertaking affidavit, bail granted by this Court, shall stand automatically cancelled without reference to this Court.

sd/-

18/08/2022

/ TRUE COPY /

/08/2022

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



TO

1 THE ADDITIONAL MAHILA JUDGE,
TRICHY.

2 THE INSPECTOR OF POLICE
ARIYAMANGALAM POLICE STATION,
TRICHY CITY,
TRICHY DISTRICT.

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

ORDER

IN

CRL OP(MD) No.14344 of 2022

Date :18/08/2022

trp

PKP/SVR/SAR-4/30.08.2022/3P/4C