



WEB COPY



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 12/08/2022

PRESENT

The Hon`ble Mr.Justice G.ILANGOVAN

CRL OP(MD) . No.14553 of 2022

1. Suresh
2. Ramachandran
3. Selvamani
4. Vembu
5. Chellamuthu

... Petitioners/Accused
No.1,2,3,4,5

Vs

State rep.by
The Inspector of Police,
Jambunathapuram Police Station,
Trichy District.
(Crime No.119 of 2022).

... Respondent/Complainant

For Petitioners : M/s.Anandakumar N, 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.119 of 2022 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioners, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 147, 148, 294(b), 323, 427, 506(ii), 448 of IPC and Section 4 of Tamil Nadu Prohibition of Harassment of Women Act, in Crime No.119 of 2022, on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that due to land dispute, on 03.08.2022 at about 4.30 p.m., the petitioner along with other accused trespassed into the house of the defacto complainant, abused the defacto complainant in filthy language and also attacked



him with hands and woodenlog and caused injurious to The further allegation is that the accused persons damaged the defacto complainant's house hold articles, its worth about Rs.1,000/- (Rupees one Thousand only). Hence, the complaint.

3.The learned counsel for the petitioners submits that the petitioners are innocent and they have not committed any offence as alleged by the prosecution. He would further submit that in respect of the very same occurrence, FIR in Crime No.118 of 2022 has been registered against the defacto complainant and others.

4. The learned Government Advocate(Crl.Side) appearing for the respondent submits that no previous case is pending against the petitioners and also submitted that the injured has been discharged from the hospital.

5.Considering the facts and the circumstances of this case and also of the fact that it is a case in counter and the injured person has been discharged from the hospital, this Court is inclined to grant anticipatory bail to the petitioners, however, with stringent conditions.

6.Accordingly, the petitioners are ordered to be released on bail in the event of arrest or their appearance, before the learned Judicial Magistrate, Thuraiyur, and on his executing 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 on every Saturday at 10.30 am until further orders. The petitioners shall comply with the conditions stipulated under Section 438 Cr.P.C. scrupulously.

7.The petitioners shall appear before the concerned Magistrate within a period of fifteen days from the date on which the order copy made ready, failing which, the petition for anticipatory bail stands dismissed.

8.The petitioner shall deposit a sum of Rs.1,000/- (Rupees one Thousand only) to the credit of Cr.No.119 of 2022 before the learned Judicial Magistrate, Thuraiyur, within a period of two weeks from the date on which the order copy made ready.

Sd/-
12/08/2022

/ TRUE COPY /

/08/2022
Sub-Assistant Registrar (C.S.IV)
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,
THURAIYUR.
2. -DO- THROUGH
THE CHIEF JUDICIAL MAGISTRATE,
TRICHY DISTRICT.
3. THE INSPECTOR OF POLICE,
JAMBUNATHAPURAM POLICE STATION,
TRICHY DISTRICT.
4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

+1. CC to M/S.ANANDAKUMAR N Advocate SR.No.8556

ORDER
IN
CRL OP(MD) No.14553 of 2022
Date :12/08/2022

SP/JM/SAR IV/25/08/2022/3P/6C