



WEB COPY



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 12/08/2022

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD) . No.14552 of 2022

1. M.Habeeb Rahuman @ Shaik Habeebur Rahman
 2. M.Mohamed Ismail @ Shaik Mohammed Ismail
 3. A.Samsath Begum
 4. M.Sathick @ Shalk Sadhik Basha
- ... Petitioners/Accused
Rank No.1 to 4

Vs

State rep.by
The Inspector of Police,
Devadhanapatti Police Station,
Theni District.
(Crime No.294 of 2022).

... Respondent/Complainant

For Petitioners : M/s.Karthick Kumar.A, Advocate.

For Respondent : Mr.R.M.Anbunithi,
Additional Public Prosecutor

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

PRAYER :-

For Anticipatory Bail in Crime No. 294 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 448, 294(b), 323, 354, 506(1) of IPC, in Crime No.294 of 2022 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that due to landlord and tenant dispute, a wordy quarrel arose between the defacto complainant and petitioners, the accused scolded and attacked the



defacto complainant and others, with hands and caused injuries to them. Hence, the complaint.

3.The learned counsel for the petitioners submitted that the petitioners are innocent persons and they have been falsely implicated in this case. The petitioners have not committed any offence as alleged by the prosecution. He would further submit that a case in counter has been registered against the defacto complainant and others in Crime No.290 of 2022.

4.The learned Additional Public Prosecutor(Crl.Side) appearing for the respondent would submit that the injured has been discharged from the hospital and also submitted that no previous case is pending against this petitioners.

5.Considering the facts and circumstances of the case and also the fact that the injured 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 Court, Periyakulam, Theni District, and on their 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.

Sd/-
12/08/2022

/ TRUE COPY /

/08/2022

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

TTA

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.



1. THE JUDICIAL MAGISTRATE,
PERIYAKULAM, THENI DISTRICT.
2. -DO- THROUGH
THE CHIEF JUDICIAL MAGISTRATE,
THENI DISTRICT.
3. THE INSPECTOR OF POLICE,
DEVADHANAPATTI POLICE STATION,
THENI DISTRICT.
4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

+1. CC to M/S.KARTHICK KUMAR.A Advocate SR.No.8621

ORDER
IN
CRL OP(MD) No.14552 of 2022
Date :12/08/2022

SP/JM/SAR II/26/08/2022/3P/6C