



WEB COPY



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 18/08/2022

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD) . No.14881 of 2022

1. Jeyaraman
2. Subbuthai

... Petitioners/Accused No.1 & 2

Vs

State rep.by
The Inspector of Police,
K.V. Nallur Police Station,
Tenkasi District
(Crime No.328 of 2022).

... Respondent/Complainant

For Petitioners : Mr.Thalaimutharasu.G, 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.328 of 2022 on the file of the Respondent police.

ORDER : The Court made the following order :-

The petitioners are facing charges under Sections 294(b), 323 and 506(2) IPC in Crime No.328 of 2022 on the file of the respondent police.

2.The case of the prosecution is that there was partition dispute between the defacto complainant and the accused persons. On 11.08.2022 at about 08.00 pm., when the defacto complainant was walking near a statue, he demanded share to the property, but it was refused. He was abused in filthy language and was also assaulted, over which the present FIR has been registered.



3.The learned Government Advocate (Crl.side) for the respondent would submit that the defacto complainant and the 1st accused are brothers and there was dispute between them over sharing of the property, over which the present occurrence said to have taken place. It is a case and counter case and the defacto complainant is still in the hospital. He would further submit that the 1st petitioner is having one previous case and the 2nd petitioner is having no previous case.

4.Since it is a case and counter case, in which both of them got injured, this Court is inclined to grant anticipatory bail to the petitioners.

5.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 Judicial Magistrate, Sankarankovil, 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 am., until further orders. The petitioners shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously.

6.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 shall stand dismissed.

Sd/-
18/08/2022

/ TRUE COPY /

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

MM

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,
SANKARANKOVIL.

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

3. THE INSPECTOR OF POLICE,
K.V.NALLUR POLICE STATION,
TENKASI DISTRICT.

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

+1. CC to M/S.THALAIMUTHARASU.G Advocate SR.No.8875

ORDER
IN
CRL OP(MD) No.14881 of 2022
Date :18/08/2022

SP/PN/SAR II/25/08/2022/3P/6C