



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 23/08/2022
PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD) . No.15039 of 2022

1. Kali @ Sathiyamoorthy
2. Komathan @ Kanna,
3. Kalaiarasan @ Vinoth,
4. Tamilarasan,
5. Nisha @ Nishanthini,
6. Vino @ Vinothini,
7. Seebi @ Umabalan,

... Petitioners/Accused A1 to A7

Vs

The State rep.by,
The Inspector of Police,
Kandavarayanpatti Police Station,
Sivagangai District
(Crime No.40 of 2022)

... Respondent/Complainant

For Petitioners : Mr.Balamurugan.R,
Advocate.

For Respondent : Mr.P.Kottai Chamy,
Government Advocate (Crl.Side)

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

PRAYER :-For Anticipatory Bail in Crime No.40 of 2022 on the file of the Respondent police.

ORDER : The Court made the following order :-

The petitioners are facing charges under Sections 147, 294(b), 323 and 506 (1) IPC and Section 4 of Tamil Nadu Prohibition of Harassment of Women Act, 2002, in Crime No.40 of 2022 on the file of the respondent police.

2.The case of the prosecution is that on 15.08.2022 at about 05.10 pm., when the defacto complainant was standing in front of his house, the accused persons, who belong to the very same refugee camp, came there, picked up quarrel, caused assault with hands, criminally intimidated him and also abused him in filthy language, over which the present FIR has been registered. In respect of the very same occurrence, the counter case in Crime No.41 of 2022 has been registered for the offences under Sections 294(b), 323 and 506 (1) IPC, on the basis of the complaint given by the 1st petitioner herein.



3. Reading of the counter complaint shows that over the issue, the petitioners have been assaulted by the defacto complainant also and in both the cases, the injured has been discharged from the hospital. So, this Court is inclined to grant anticipatory bail to the petitioners.

4. 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 Judicial Magistrate Court, Tiruppathur, Sivagangai 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 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.

5. 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/-

23/08/2022

/ TRUE COPY /

/09/2022

Sub-Assistant Registrar (C.S.)
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,
TIRUPPATHUR, SIVAGANGAI DISTRICT.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE
SIVAGANGAI DISTRICT.
- 3 THE INSPECTOR OF POLICE
KANDAVARAYANPATTI POLICE STATION, SIVAGANGAI DISTRICT
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER

IN

CRL OP(MD) No.15039 of 2022

Date : 23/08/2022

MM

<https://www.mhjudiciary.org.in> /02.09.2022/2P/5C