



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 23/08/2022

WEB COPY

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.15026 of 2022

1. Prabhu,

2. John Kennady,

... Petitioners/Accused Nos. 1 & 2

Vs

State Rep.by
The Inspector of Police,
SS Colony Police Station,
Madurai City,
Madurai District.
(Crime No.1396/2022)...

... Respondent/Complainant

For Petitioners : Mr.S.Muniyandi S,Advocate.

For Respondent : Mr.B.Thanga Aravindh,
Government Advocate (Crl.Side)

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

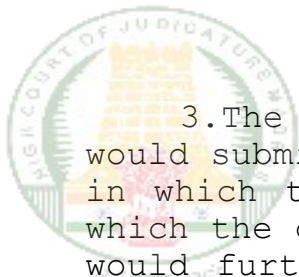
PRAYER :-

For Anticipatory Bail in Crime No.1396/2022 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 (i) IPC in Crime No.1396 of 2022 on the file of the respondent police.

2.The case of the prosecution is that the defacto complainant lodged a complaint stating that he is the mortgagee in respect of the property, in which he is residing. About 1 year back, a two wheeler was left to park in his house and in spite of the repeated request, that was not taken by the owners. On the date of occurrence, two unknown persons came and claimed the aforesaid two wheeler. He asked them to produce any documents to show the ownership, but however, he was assaulted with hands and was also criminally intimidated, over which the present First Information Report has been registered.



3.The learned Government Advocate (Crl.side) for the respondent would submit that the aforesaid wordy quarrel occurred between them, in which there was exchange of words between the two people, over which the case in Crime No.1395 of 2022 has also been registered. He would further submit that in both the cases, the injured has been treated as outpatient and no previous bad antecedents is reported against the petitioners.

4.Considering the fact that the injured has been treated as outpatient and no previous bad antecedents is reported against the petitioners, 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 No.V, Madurai, 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/-

23/08/2022

/ TRUE COPY /

/09/2022

Sub-Assistant Registrar (C.S.)
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.

TO

1 THE JUDICIAL MAGISTRATE NO.V,
MADURAI.

2 DO THROUGH:
THE CHIEF JUDICIAL MAGISTRATE,
MADURAI.

<https://www.mhc.tn.gov.in/>



3 THE INSPECTOR OF POLICE
SS COLONY POLICE STATION, MADURAI CITY,
MADURAI DISTRICT.

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

+1. CC to M/S.MUNIYANDI S Advocate SR.No.40307(F)

ORDER
IN
CRL OP(MD) No.15026 of 2022
Date :23/08/2022

PKP/SVR/SAR-2/02.09.2022/3P/6C