



WEB COPY



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 25/08/2022

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD) . No.15216 of 2022

1. Jeyachandran
2. Ishwarya @ Eysvariya
3. Dharmalingam
4. Vanitha

... Petitioners/Accused
No.1 to 4

Vs

State rep.by
The Inspector of Police,
Peraliyur,
Ramanathapuram District.
(Crime No.65 of 2022).

... Respondent/Complainant

For Petitioners : M/s.Sivaprakash 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.65 of 2022 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioners/Accused, apprehending arrest at the hands of the respondent police for the alleged offence punishable under Sections 294(b), 323, 324, 427, 506(ii) I.P.C, in Crime No.65 of 2022 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that due to previous enmity on 15.08.2022 at about 07.30PM, the defacto complainant was in his house, along with his children, the accused persons came there, abused and assaulted with hands, iron rod. They also caused damages to the asbestos roof, worth about Rs.1,600/-. Hence, the complaint.



3. The learned counsel for the petitioners submitted that the petitioners are innocents and not committed any offence as alleged by the prosecution.

4. The learned Government Advocate (Crl.Side) submitted that due to previous motive, the occurrence took place. Injured was treated as outpatient and the petitioners are not having any previous case at their credit.

5. Considering the above facts, the dispute between the parties, nature of injuries and also the fact that the petitioners are not having any previous case at their credit, this Court is inclined to grant anticipatory bail to the petitioners.

6. Accordingly, this Criminal Original Petition is allowed on condition that the petitioners shall deposit a sum of Rs.1,600/- (Rupees One Thousand Six Hundred Only) to the credit of Cr.No.65 of 2022 before the trial Court concerned, without prejudice to his rights and contentions before the trial Court.

7. On such deposit being made, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, before the learned Judicial Magistrate, Kamuthi, 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 a.m. until further orders. The petitioners shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously.

8. 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 stands dismissed.

Sd/-
25/08/2022

/ TRUE COPY /

/09/2022
Sub-Assistant Registrar (C.S.II)
Madurai Bench of Madras High Court,
Madurai - 625 023.



1. THE JUDICIAL MAGISTRATE,
KAMUTHI.
2. -DO- THROUGH
THE CHIEF JUDICIAL MAGISTRATE,
RAMANATHAPURAM DISTRICT.
3. THE INSPECTOR OF POLICE,
PERAIYUR, RAMANATHAPURAM DISTRICT.
4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER
IN
CRL OP (MD) No.15216 of 2022
Date :25/08/2022

SP/SVR/SAR II/06/09/2022/3P/5C