



WEB COPY



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 30/08/2022

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD) . No.15665 of 2022

1. S.Mareeswaran
2. S.Backialakshmi
3. M.Sathiyapriya

... Petitioners/Accused 1 to 3

Vs

State rep.by
The Inspector of Police,
M.Puduppatti Police Station,
M.Puduppatti, Sivakasi,
Virudhuangar District.
(Crime No.116 of 2022).

... Respondent/Complainant

For Petitioners : M/s.Selvakumar S, Advocate.

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

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

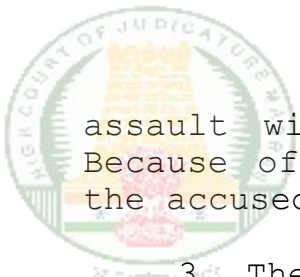
PRAYER :-

For Anticipatory Bail in Crime No.116 of 2022 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioners/Accused No.1 to 3, apprehending arrest at the hands of the respondent police for the alleged offences punishable under Sections 294(b), 323, 427, 448 and 506(ii) I.P.C. and Section 4 of Women Harassment Act, in Crime No.116 of 2022 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that the defacto complainant lodged a complaint stating that due to the pathway dispute there was trouble between the accused person and the defacto complainant. When she was in the house, the accused said to have trespassed and caused



assault with kuthuvizhakku. So also, abused in filthy language. Because of the above said occurrence, case was registered against the accused person.

3. The learned counsel for the petitioners submitted that the petitioners are innocent and they have been falsely implicated in this case. He further submitted that the injured was discharged from the hospital and no bad antecedent is reported against the petitioners. Hence, he prays for grant of anticipatory bail to the petitioners.

4. The learned Government Advocate (Crl. Side) for the respondent police submitted that both are close relatives. Due to pathway dispute, the above said occurrence took place. The injured has been discharged from the hospital and no bad antecedent is reported against the petitioners.

5. Even though it has been stated that there was damage to the article, it has not been mentioned in the FIR. Further, it is also a matter for investigation.

6. Considering the facts and circumstances of the case and also considering the fact that the parties are close relatives, due to the pathway dispute injured was discharged from the hospital and no bad antecedent is reported against the petitioners, this Court is inclined to grant anticipatory bail to the petitioners.

7. 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.II, Sivakasi, 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/-
30/08/2022

/ TRUE COPY /

08/09/2022
Sub-Assistant Registrar (C.S.II)
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.

WEB COPY

TO

1. THE JUDICIAL MAGISTRATE NO.II,
SIVAKASI..
2. -DO-THROUGH
THE CHIEF JUDICIAL MAGISTRATE,
VIRUTHUNAGAR DISTRICT AT SRIVILLIPUTHUR.
3. THE INSPECTOR OF POLICE,
M. PUDUPPATTI POLICE STATION,
M.PUDUPPATTI, SIVAKASI,
VIRUDHUANGAR DISTRICT.
4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
CRL OP(MD) No.15665 of 2022
Date :30/08/2022

SP/SVR/SAR II/08/09/2022/3P/5C