



WEB COPY



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 09/09/2022

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD) . No.16313 of 2022

1. Marichamy
2. Azhagunithi @ Alagunathi
3. Jeyaram

... Petitioners/Accused
No.1 to 3

Vs

State rep.by
The Inspector of Police,
Chinnamanur Police Station,
Theni District.
(Crime No.410 of 2022).

... Respondent/Complainant

For Petitioners : Mr.Satheeshkumar M, Advocate.

For Respondent : Mr.M.Muthumanikkam,
Government Advocate (Crl.Side)

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

PRAYER :-

For Anticipatory Bail in Crime No.410 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, 324 and 506(2) IPC in Crime No.410 of 2022 on the file of the respondent police.

2.The case of the prosecution, as per the defacto complainant's version, is that on the eve of the Vinayagar Chaturthi festival on 02.09.2022 at about 05.30 pm., when he was returning to his house, the accused persons picked up quarrel stating that he should not put up the Vinayagar statue in front of their house. Because of the aforesaid issue, he was assaulted with stick, criminally



intimidated. He was taken to the hospital, over which the present FIR has been registered.

3. The learned Government Advocate (Crl.side) for the respondent would submit that the injured has been discharged from the hospital and the dispute has arisen over the aforesaid issue of putting up the Vinayagar statue in front of the accused's house.

4. Considering the facts and circumstances of the case that the injured has been discharged from the hospital, 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, Uthamapalayam, Theni 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.

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/-
09/09/2022

/ TRUE COPY /

/09/2022
Sub-Assistant Registrar (C.S.I)
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,
UTHAMAPALAYAM, THENI DISTRICT.
2. -DO- THROUGH
THE CHIEF JUDICIAL MAGISTRATE,
THENI DISTRICT.
3. THE INSPECTOR OF POLICE,
CHINNAMANUR POLICE STATION,
THENI DISTRICT.
4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER
IN
CRL OP (MD) No.16313 of 2022
Date :09/09/2022

SP/SVR/SAR I/15/09/2022/3P/5C