



WEB COPY

CRL OP(MD). N



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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 14/09/2022

PRESENT

The Hon`ble Mrs.Justice R.THARANI

CRL OP(MD). No.16486 of 2022

1. Perumal

2. Prabakaran

3. Arunkumar

4. Indhirani

5. Mohan Raj

6. Sathiskumar

... Petitioners/Accused 1 to 6

Vs.

The Satate rep.by,
The Inspector of Police,
Thuraiyur Police Station,
Crime No. 270 of 2022.

... Respondent/Complainant

For Petitioners : M/s.Mohan.N,
Advocate.

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

PRAYER :-

For Anticipatory Bail in Crime No. 270 of 2022 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioners/Accused, who apprehend arrest at the hands of the respondent police for the offence punishable under Sections 147, 148, 294(b), 323, 324, 354, 379 and 506(ii) IPC, in Crime No. 270 of 2022, seek anticipatory bail.

2. The allegation against the petitioner is that due to civil dispute between the parties, the petitioners abused the defacto
<https://www.mca.gov.in/> and assaulted her and snatched her chain and Thali. A



case in Crime No.270 of 2022, was registered against the petitioners.

3. On the side of the petitioner, it is stated that there was a civil dispute between the petitioners and the defacto complainant. The petitioners are innocent. In fact the defacto complainant's brother viz., Baskar and others attacked the petitioners with wooden log and thereby, the second petitioner sustained multiple injuries and his gold chain was found missing and thereafter, the second petitioner lodged a complaint and the same was registered in Crime No.271 of 2022. This is a case and the counter case. No one was injured in the above said occurrence and prayed the petitioner to be released on anticipatory bail.

4. On the side of the prosecution, it is stated that due to civil dispute, the petitioners abused the defacto complainant and assaulted her. No one was injured in the said occurrence. There is a case and counter case.

5. Considering the facts and circumstances of the case and considering the fact that there is a case and counter case and also considering the fact that no one was injured, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

6. Accordingly, this petition is allowed and the petitioner is ordered to be released on bail in the event of arrest or his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate, Thuraiyur, on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties, each for a like sum to the satisfaction of the respondent Police or to the Police Officer, who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further conditions that:

(a) the petitioner and the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

(b) the petitioner shall report before the concerned Court daily at 10.30 am for a period of two weeks and thereafter as and when required;

(c) the petitioner shall not tamper with evidence or witness either during investigation or trial;

(d) the petitioner shall be present before the Court on hearing dates and before the respondent police as and when required;

(e) on breach of any of the aforesaid conditions, the learned Magistrate/ Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the conditions have been imposed and the petitioner released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme



(f)if the accused thereafter absconds, a fresh FIF registered under Section 229-A IPC.

sd/-
14/09/2022

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/09/2022

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

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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, THURAIYUR.
- 2.DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
TRICHY.
- 3.THE INSPECTOR OF POLICE,
THURAIYUR POLICE STATION.
- 4.THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
CRL OP(MD) No.16486 of 2022
Date :14/09/2022

RK/SVR/SAR-1 (16/09/2022) 3P/5C