



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 22/09/2022
PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.16969 of 2022

1. Sevugan
2. Chelldurai

... Petitioners/Accused
Rank Not Known

Vs

The State rep.by
The Inspector of Police,
Kandavarayanpatti Police Station,
Sivagangai District.
(Crime No. 35 of 2022).

... Respondent/Complainant

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

For Respondent : Mr.RMS.SETHURAMAN,
Additional Public Prosecutor

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

PRAYER :- For Anticipatory Bail in Crime No.35 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(ii) IPC and Section 4 of Tamil Nadu Prohibition of Harassment of Women Act, in Crime No.35 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 her sister namely Mageshwari was married to one Chelladurai some 1-1/2 years ago. He received Rs.35,000/- from the father-in-law of her sister and he repaid the same in instalment basis Rs.60,000/-. The above said Chelladurai demanded Rs.20,000/- in addition. Because of that, there was frequent trouble between them. On 07.07.2022, at about 9.00 a.m., when she was in her petty shop, the accused persons came there and caused assault. At that time, her husband came and prevented. But however, she was criminally intimidated and she was taken to the hospital. Based upon the above complaint, the case has been registered.



3. This is the second anticipatory bail petition. Earlier petition filed by the petitioners in Crl.O.P(MD).No.12783 of 2022 was dismissed by this Court on 30.08.2022, on the ground that the defacto complainant sustained grievous injuries and he is still in hospital. This petition has been filed mainly on the ground that the defacto complainant sustained simple injuries and he has been discharged from the hospital.

4. The learned Additional Public Prosecutor (Crl.Side) appearing for the respondent would submit that the defacto complainant sustained simple injuries only and he has been discharged from the hospital and no previous case is pending against these petitioners. He would further submit that out of money transaction between the parties, the above said quarrel arose.

5. Considering the facts and circumstances of the case and also the fact that the injured has been discharged from the hospital, this Court is inclined to grant bail to the petitioners, however, with stringent conditions.

6. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or their appearance, before the learned Judicial Magistrate, Thiruppathur, and on their executing 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 petitioner shall appear before the respondent police on every Saturday at 10.30 am until further orders. The petitioners shall comply with the conditions stipulated under Section 438 Cr.P.C. scrupulously.

7. The petitioners shall appear before the concerned Magistrate within a period of fifteen days from the date on which the order copy made ready, failing which, the petition for anticipatory bail stands dismissed.

sd/-

22/09/2022

/ TRUE COPY /

/09/2022

Sub-Assistant Registrar (C.S.)
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.



TO

1 THE JUDICIAL MAGISTRATE,
THIRUPPATHUR.

2 DO- THROUGH:THE CHIEF JUDICIAL MAGISTRATE,
SIVAGANGAI DISTRICT.

3 THE INSPECTOR OF POLICE,
KANDAVARAYANPATTI POLICE STATION,
SIVAGANGAI DISTRICT.

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

+1. CC to M/S. VEERAPANDISELVARAJ S Advocate SR.No.10380

ORDER

IN

CRL OP(MD) No.16969 of 2022

Date :22/09/2022

TTA

SA/SBN/SAR.1/30.09.2022/3P/6C