



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Date : 01/02/2022

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.19214 of 2021

WEB COPY

1. Marimuthu
2. Devi
3. Packiya

... Petitioners 1-3/Accused 1-3

Vs

The State Rep. By,
The Inspector of Police,
Rayappanpatti Police Station,
Theni District.
(Cr.No. 504/2021).

... Respondent/Complainant

For Petitioners : M/s. Appadurai.K,
Advocate.

For Respondent : Mr.S.Maniikandan,
Government Advocate (Crl.Side)

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

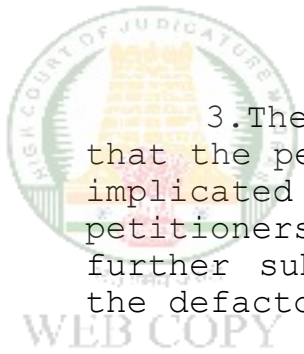
PRAYER :-

For Anticipatory Bail in Crime No. 504 of 2021 on the file of the respondent Police.

ORDER : The Court made the following order :-

The petitioners, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 294(b), 324, 355, 379(NP), 427, 452 & 506(2) of IPC, in Crime No.504 of 2021 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the first petitioner and the defacto complainant are husband and wife. Due to family dispute, the defacto complainant left her matrimonial home and staying with his brother's house. On the date of occurrence i.e on 29.09.2021, the first petitioner trespassed into the house of the defacto complainant and abused the defacto complainant in filthy language and also attacked her with stick. Therefore, the present case came to be registered.



3.The learned counsel appearing for the petitioners submitted that the petitioners are innocent persons and they have been falsely implicated in this case and only with a view to harass the petitioners, the defacto complainant lodged a false complaint. He further submitted that the first petitioner is ready to live with the defacto complainant.

4.Since it is a matrimonial dispute, this Court, by order dated 06.12.2021, referred the matter to the Mediation Centre to conduct enquiry and file a report.

5.Heard, the learned Government Advocate(Crl.Side) appearing for the respondent police.

6.Today, when the matter is taken up for hearing, the learned counsel for the petitioners submitted that a compromise has been reached between the parties.

7.Considering the facts and circumstances of the case, the nature of allegations levelled against the petitioners and since the compromise reached between the parties, this Court is inclined to grant anticipatory bail to the petitioners.

8.Accordingly, the petitioners are ordered to be released on bail in the event of arrest or their appearance, before the learned Judicial Magistrate, Uthamapalayam, 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 on receipt of summon of any. The petitioner shall comply with the conditions stipulated under Section 438 Cr.P.C. scrupulously.

9.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/-
01/02/2022

/ TRUE COPY /

/ /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,
UTHAMAPALAYAM.
2. DO-THROUGH : THE CHIEF JUDICIAL MAGISTRATE,
THENI DISTRICT.
3. THE INSPECTOR OF POLICE,
RAYAPPANPATTI POLICE STATION,
THENI DISTRICT.
4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
CRL OP(MD) No.19214 of 2021
Date :01/02/2022

USK/MS/SAR-I/10.02.2022/3P/5C