



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 06/10/2022
PRESENT

WEB COPY

The Hon`ble Mrs.Justice T.V.THAMILSELVI
CRL OP(MD) . No.17862 of 2022

1. Mahendran
2. Muthukumar
3. Meenal
4. Sangeetha
5. Muthulakshmi @ Muthu Selvi ... Petitioners/Accused 1 to 5

Vs

The State rep.by
The Inspector of Police,
Parthibanoor Police Station,
Ramanathapuram District.
(Fir No.161/2022).

... Respondent/Complainant

For Petitioners : Mr.Balamurugan P,
Advocate.

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

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

PRAYER :-

For Anticipatory Bail in Crime No.161/2022 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 alleged offence punishable under Sections
147, 294(b), 323 and 506(i) of IPC r/w. Section 4 of Tamil Nadu
Prohibition of Harassment of Women Act, in Crime No.161 of 2022,
seek anticipatory bail.

2.The case of the prosecution is that on 17.09.2022 at about
08.00 p.m., due to wordy quarrel, the first petitioner abused the
defacto complainant and the other petitioners attacked her. Hence,
the complaint.



3.The learned counsel for the petitioners submitted that in a civil dispute, the defacto complainant lodged a false complaint against the petitioners. The petitioners have not committed any offence as alleged in the FIR.

4.The learned Government Advocate (Crl.side) appearing for the respondent police submitted that it is a case and counter case and injured is treated as out patient.

5.Considering the facts and circumstances of the case and the nature of allegation levelled against the petitioners, this Court is inclined to grant anticipatory bail to the petitioner.

6.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, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate, Paramakudi, Ramanathapuram District, on condition that the petitioners shall execute a bond for a sum of Rs.25,000/- (Rupees Twenty Five thousand only) each with two sureties each for a like sum to the satisfaction of the learned Magistrate concerned and on further conditions that:

[a]the petitioners and the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate may obtain a copy of their Aadhaar card or bank pass book to ensure their identity.

[b] the petitioners shall report before the respondent police as and when required for interrogation.

[c]the petitioners shall not tamper with the evidence or witness either during investigation or trial.

[d]the petitioners shall not abscond either during investigation or trial.

[f]On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioners in accordance with law as if the conditions have been imposed and the petitioners released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in **P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560]**.

sd/-

06/10/2022

/ TRUE COPY /

/10/2022

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



TO

- 1 THE JUDICIAL MAGISTRATE,
PARAMAKUDI, RAMANATHAPURAM DISTRICT.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
RAMANATHAPURAM DISTRICT.
- 3 THE INSPECTOR OF POLICE,
PARTHIBANOOR POLICE STATION,
RAMANATHAPURAM DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER

IN

CRL OP(MD) No.17862 of 2022

Date :06/10/2022

IAS

SS/GB/SAR-I/11.10.2022/3P/5C