



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

Date : 02/02/2022

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.19785 of 2021

1. Palaniyammal
2. Muniyandi

... Petitioners/Accused No.3 and 4

Vs

The State Rep. By,
The Inspector of Police,
Pulithipatty Police Station,
Sivagangai District.
Cr.No.85 of 2021.

... Respondent/Complainant

For Petitioners: Mr.K.Abdul Kadhar,
Advocate.

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

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

PRAYER :-

For Anticipatory Bail in Crime No.85 of 2021 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 offences punishable under Sections 294 (b), 336, 323, 324, 506(ii) IPC and Section 4 of Tamil Nadu Prohibition of Harassment of Women Act, in Crime No.85 of 2021, seek anticipatory bail.

2.The case of the prosecution is that there was property dispute between the parties, the accused persons alleged to have abused, assaulted the *defacto* complainant party and also threatened with dire consequences. Hence, the complaint.

3.The learned counsel for the petitioners would submit that it is a case in counter, based upon the complaint given by petitioners, the counter case was registered in Crime No.86 of 2021 against the *defacto* complainant party and that the injured was discharged from the hospital. Hence, prays to release them on anticipatory bail.



4.The learned Government Advocate (Crl.Side) appearing for the respondent would submit that based upon the complaint given by the petitioners, case in counter was registered in Cr.No.86 of 2021 for the offences under Sections 448, 324, 379 IPC, against the defacto complainant party. In both cases parties sustained injuries and in this case injured was admitted and later went out without proper discharge and informing to the hospital authorities. He suffered head injuries.

5.Considering the facts and circumstances of this case, nature of dispute between the parties, that in both cases parties sustained injuries and it is a case in counter, this Court is inclined to grant anticipatory bail to the petitioners.

6.Accordingly, the petitioners are ordered to be released on bail in the event of arrest or their appearance, before the learned District Munsif cum Judicial Magistrate, Singampurnari, Sivagangai District 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 petitioners shall appear before the respondent police daily at 10.30 am for a period of one month and thereafter, as and when required for interrogation. 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/-
02/02/2022

/ 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 DISTRICT MUNSIF CUM JUDICIAL MAGISTRATE,
SINGAMPUNARI,
SIVAGANGAI DISTRICT.



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

ORDER
IN
CRL OP(MD) No.19785 of 2021
Date :02/02/2022

USK/JM/SAR-I/08.02.2022/3P/5C