



CRL OP(MD). No.14365 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 26/09/2023

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

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1.Geetha

2.Kanthasamy

... Petitioners/ Accused Nos.2 & 3

Vs

State Rep.by

The Inspector of Police,

Palayamkottai Police Station,

Tirunelveli City.

(Crime No.846 /2023)

... Respondent/Complainant

For Petitioners : Mr.C.Susikumar, Advocate.

For Respondent : Mr.S.Manikandan

Government Advocate (Crl.Side)

For Intervenor : Mr.R.J.Karthik, Advocate

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

PRAYER :-

For Anticipatory Bail in Crime No.846/2023 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/ Accused apprehends arrest at the hands of the respondent police for the offences under Sections 294(b), 324 and 506(ii) of IPC in Crime No.846



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of 2023, on the file of the respondent police, seeks anticipatory bail.

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2. The case of the prosecution is that the defacto complainant lent his house for lease to the first accused. After completion of the lease period, the first accused after receiving the lease amount, refused to vacate the house. On 25.07.2023, when the first accused returned to the defacto complainant's leased house, the defacto complainant requested him to vacate the house. At that time the accused persons, assaulted the defacto complainant and his wife and caused injury. Hence the complaint.

3. The learned counsel for the petitioners submitted that the petitioners are innocents, they have been falsely implicated in this case and they have not committed any offence as alleged by the prosecution.

4. Learned Government Advocate (Crl.side) would submit that trouble has arisen over the landlord and the tenant issue. Now the house is locked.

5. On finding that grievous injuries suffered by the defacto complainant's wife, the matter was referred to the mediation for settlement with regard to payment of compensation only.

6. Learned counsel for the petitioner would submit that the defacto complainant and other parties are demanding more than Rs.5 Lakhs as compensation which is not agreeable to him.

7. Learned counsel for the defacto complainant would submit that initially a



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paltry amount of Rs.5,000/- was offered by the petitioner and they are also ready to receive any compensation amount which is reasonable in nature. He leave the matter in the discretion of this Court.

8. Considering the facts and circumstances of this case, a sum of Rs.2,00,000/- (Rupees Two Lakhs only) be paid as compensation by the petitioners to the respondent directly or if the defacto complainant refused to receive the amount, it may be deposited to the credit of the Crime No.846 of 2023 before the trial Court. The defacto complainant is permitted to withdraw the amount without prejudice to the prosecution.

9. The grievance of the petitioner is that their son's dress materials and other documents are in the disputed house. The house is locked. Both the petitioners as well as the defacto complainant are having one key each. Both the parties shall appear before the respondent police on 28.09.2023. In the presence of the police, the belongings of the petitioners like dress materials and other documents can be taken by the petitioners. Proper acknowledgment must also be given by the petitioner and also signed by the defacto complainant in the presence of the respondent police.

10. With the above conditions and directions, this Criminal Original Petition is allowed and on such deposit, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, before the learned Judicial Magistrate No.I,



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Tirunelveli, on condition that the petitioners shall execute 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 a.m., until further orders. The petitioners shall comply with the condition stipulated under Section 438 of Cr.P.C., scrupulously.

11. The petitioners shall appear before the concerned Magistrate within a period of 15 days from the date on which the order copy is made ready, failing which, the petition for anticipatory bail will stand dismissed.

sd/-

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/10/2023

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

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TO

1 THE JUDICIAL MAGISTRATE NO.I, TIRUNELVELI.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, TIRUNELVELI DISTRICT.

3 THE INSPECTOR OF POLICE, PALAYAMKOTTAI POLICE STATION,
TIRUNELVELI CITY.

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



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ORDER

IN

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Date :26/09/2023

RS/DD/SAR-(06.10.2023) 5P 5C

Madurai Bench of Madras High Court is issuing
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