



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

Tuesday, the Twenty Fourth day of October Two Thousand Seventeen

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.14192 and 14179 of 2017

1 ARAVINTHAN

... PETITIONER / ACCUSED(SOLE)
IN CRL OP(MD)No.14192 of 2017

1 RAJASEKAR,
2 ARAVINTHAN,
3 THALAPATHY,

... PETITIONERS / ACCUSED 1 TO 3
IN CRL OP(MD)No.14179 of 2017

Vs

THE STATE REPRESENTED BY,
THE SUB INSPECTOR OF POLICE,
BALAMEDU POLICE STATION,
MADURAI DISTRICT.
CRIME NO.238/2017

... RESPONDENT / COMPLAINANT
IN CRL OP(MD)No.14192 of 2017

CRIME NO.237/2017

... RESPONDENT / COMPLAINANT
IN CRL OP(MD)No.14179 of 2017

For Petitioners : M/S.S.BALAJI Advocate IN BOTH PETITIONS

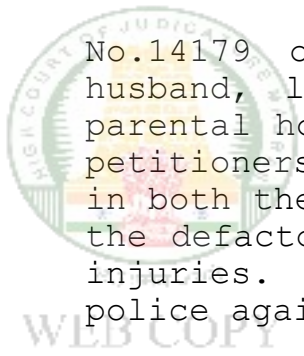
For Respondent : Mr.K.ANBARASAN Government Advocate (Crl. Side)
IN BOTH PETITIONS

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

ORDER : The Court Made the following order :-

The petitioners, who are arrayed as Accused Nos.1, 2 and 3, apprehend arrest at the hands of the respondent police for offences punishable under Sections 294 (b), 323, 427, 379(NP) and 506(i) of I.P.C., in Crime No.238 of 2017 and under Sections 294(b), 323 and 506(i) of I.P.C., and Section 4 of Tamil Nadu Prohibition of Harassment of Women Act, in Crime No.237 of 2017, on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that the petitioners and the defacto complainants are close relatives. The defacto complainant in Crime No.237 of 2017 is the father-in-law of A1, namely, Rajasekar. On 15.10.2017, the wife of the first petitioner in Crl.O.P.(MD)



No.14179 of 2017, due to misunderstanding between her and her husband, left the matrimonial home and living separately in her parental home. Thereby, there was a wordy quarrel arose between the petitioners and the defacto complainants, for which, the petitioner in both the petitions attacked the defacto complainants and thereby, the defacto complainants in Crime No.237 and 238 of 2017 sustained injuries. Hence, cases have been registered by the respondent police against the petitioners in both petitions.

3.The learned counsel for the petitioners submitted that the petitioners are innocent and they have not committed any offence as alleged by the prosecution. He further submitted that it is purely a family dispute landed before the law enforcing agency.

4. The learned Government Advocate (Crl.side) appearing for the State would submit that both the petitioners and the defacto complainants are close relatives and the injured was already discharged from the hospital.

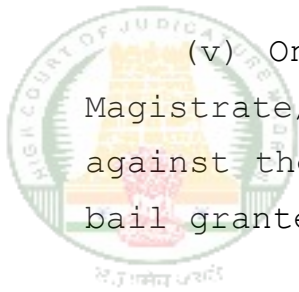
5. Considering the facts and circumstances of the case and also considering the submission made by the learned Government Advocate (Crl.side), I am inclined to grant anticipatory bail to the petitioners with certain conditions. Accordingly, the petitioners are ordered to be released on bail in the event 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, Vadipatti, Madurai District, on condition that the petitioners shall execute a bond for a sum of Rs.25,000/- (Rupees twenty five thousand only) each with one sureties for a like sum to the satisfaction of the respondent Police or to the Police Officer, who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further condition that:

(i) the petitioners shall report before the respondent police, daily at 10.00 a.m., for a period of three weeks, and thereafter, as and when required for interrogation;

(ii) the petitioners shall not tamper with evidence or witness either during investigation or trial.

(iii) the petitioners shall make themselves available for interrogation including custodial interrogation as and when required by the investigation officer;

(iv) the petitioners shall not commit any offence while on bail.



(v) 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 and the anticipatory bail granted stands cancelled automatically.

sd/-

24/10/2017

WEB COPY

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE,
VADIPATTI, MADURAI.
 - 2 -DO- THRO THE CHIEF JUDICIAL MAGISTRATE,
MADURAI.
 - 3 THE SUB INSPECTOR OF POLICE,
BALAMEDU POLICE STATION,
MADURAI DISRTRICT.
 - 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- +2. CC to M/S.S.BALAJI Advocate SR.No.33016,33017

ORDER

IN

CRL OP (MD) No.14192 and 14179 of 2017

Date :24/10/2017

MV:RR-BS:SAR2:31/10/2017/3P/7C