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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 29/12/2021

PRESENT

The Hon'ble Mrs.Justice S.ANANTHI

CRL OP(MD). No.21116 of 2021

1.Mohammed Nizamudeen
2.Shahul Hameed
3.Jaibunnisa
4.Mohammed Azarudeen
5.Shamina Naheed

... Petitioners/Accused 1 to 5

Vs

The State rep. by
The Inspector of Police,
All Women Police Station,
Karur
Crime No.38 of 2021

... Respondent

For Petitioners: Mr.Bharath Gowtham, Advocate
For Respondent : Mr.SS.Madhavan,
Government Advocate (Crl.Side)

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

PRAYER :-

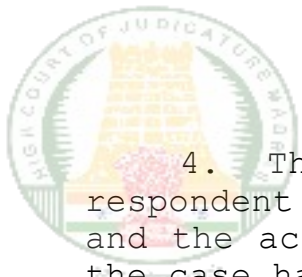
For Anticipatory Bail in Crime No.38 of 2021 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioners/Accused No.1 to 5, apprehending arrest at the hands of the respondent police for the alleged offence punishable under Sections 294(b), 323, 498(A) and 506(1) IPC in Crime No.38 of 2021 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that the first accused scolded and intimidated the defacto complainant and when the relatives of the defacto complainant were knocking the doors, the petitioners poured chilly mixture over them. Hence, this complaint.

3. The learned counsel for the petitioners submitted that the petitioners are innocent and they have been falsely implicated in this case.



4. The learned Government Advocate (Crl. Side) for the respondent police submitted that it is a case of case and counter and the accused had intimidated the defacto complainant. Therefore, the case has been registered.

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5. Considering the nature of offence, there is matrimonial dispute between the parties and a counter complaint has been lodged, this Court is inclined to grant anticipatory bail to the petitioners.

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, before the learned Judicial Magistrate, Additional Mahila Court, Karur 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 concerned court and the petitioners shall appear before the respondent police daily at 10.30 a.m. for 30 days. The petitioners shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously.

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

Sd/-
29/12/2021

/ TRUE COPY /

/ /2022

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

CM

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,
ADDITIONAL MAHILA COURT, KARUR
2. DO-THROUGH THE CHIEF JUDICIAL MAGISTRATE,
KARUR



3. THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
KARUR

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

+1CC to M/s.BHARATH GOWTHAM, Advocate (SR-9843[I] dated
30/12/2021)

ORDER
IN
CRL OP (MD) No.21116 of 2021
Date : 29/12/2021

MS/VB/JC/SAR-IV/03.01.2022/3P/6C