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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 12/01/2022
PRESENT

The Hon`ble Mr.Jusice G.ILANGOVAN

CRL OP(MD). No.601 of 2022

1. Pandi
2. Malarmani ... Petitioners/Accused Nos.5 & 6

Vs

The State rep.by
The Inspector of Police,
Thirumangalam Town Police Station,
Madurai District.
Cr.No.207 of 2021. ... Respondent/Complainant

For Petitioners : M/s.PRABHU.S,
Advocate.
For Respondent : Mr.RMS.SETHURAMAN,
Additional Public Prosecutor

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

PRAYER :- For Anticipatory Bail in Crime No.207 of 2021 on the file of the Respondent police.

ORDER : The Court made the following order :-

The petitioners / Accused Nos.5 and 6, apprehending arrest at the hands of the respondent police for the alleged offences punishable under Sections 147, 148, 323, 324, **342** and 506(ii) I.P.C., on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that there was a matrimonial dispute between the petitioners and the defacto complainant, due to which, the petitioners assaulted the defacto complainant with wooden log and also threatened him with dire consequences. Hence, the complaint.

3.The learned counsel for the petitioners submitted that the petitioners are innocents and they have been falsely implicated in this case. The petitioner failed to mention **Section 342 of I.P.C** in this petition and prayed the same to be incorporated.

4. The learned Additional Public Prosecutor for the respondent police submitted that there was a matrimonial dispute arose between the parties. The injured has been discharged from the hospital.

5. Considering the nature of offence, the overt act attributed against the petitioners, the injured has been discharged from the

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hospital, 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, Thirumangalam, Madurai District, on condition that the petitioners shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties each for a like sum to the satisfaction of the learned Magistrate concerned. Due to COVID-19 pandemic situation, the petitioners shall appear before the respondent police once in a month i.e., on first Monday of every English Calender Month at 10.30 a.m., until further orders. 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/-
12/01/2022

/ 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 JUDICIAL MAGISTRATE
THIRUMANGALAM, MADURAI DISTRICT.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
MADURAI DISTRICT.

3 THE INSPECTOR OF POLICE,
THIRUMANGALAM TOWN POLICE STATION,
MADURAI DISTRICT.

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

ORDER IN
CRL OP(MD) No.601 of 2022
Date :12/01/2022

SA/VR/SAR.4/03.02.2022/2P/5C

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