



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 21/07/2022

WEB COPY

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.12126 of 2022

1 Karuppammal
2 Perumatha
3 Raja

... Petitioners/Accused Nos.2 to 4

Vs

The State rep.by,
The Inspector of Police,
Thattaparai Police Station,
Thoothukudi District.
Crime.No. 80/2022.

... Respondent/Complainant

For Petitioners : Mr.V.Panjalirajan,
Advocate.

For Respondent : Mr.P. Kottaichamy
Government Advocate (Crl.Side)

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

PRAYER :-For Anticipatory Bail in Crime No.80 of 2022 on the file of the Respondent police.

ORDER : The Court made the following order :-

The petitioners/Accused, apprehending arrest at the hands of the respondent police for the alleged offence punishable under Sections 448, 323, 294(b), 506(ii) IPC and Section 4 of TN Prohibition of Harassment of Women Act, 2002, in Crime No.80 of 2022 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that the defacto complainant is the wife of the first accused. Due to matrimonial dispute between them, A1 has filed HMOP.No.211 of 2020 before the Sub Court, Sivakasi and the same was granted on 24.03.2022. On the date of occurrence i.e., on 19.06.2022 at about 11.45 am when the defacto complainant was at home along with children, the relatives of accused persons came there and abused her in filthy language and also criminally intimidated her. Hence, the complaint.



3. The learned counsel for the petitioners submitted the petitioners are innocent and they have been falsely implicated in this case. He would further submit that A1 has already been arrested and remanded to judicial custody and the petitioners herein are only accompanied the first accused.

4. The learned Government Advocate (Crl. Side) for the respondent police submitted that there is no previous case against the petitioners and the investigation of the case is pending.

5. Considering the nature of offence, the overt act attributed against the petitioners, 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 No.I, Thoothukudi, 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 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/-

21/07/2022

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/07/2022

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

TO

- 1 THE JUDICIAL MAGISTRATE NO.I,
THOOTHUKUDI
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
THOOTHUKUDI DISTRICT.
- 3 THE INSPECTOR OF POLICE
THATTAPARAI POLICE STATION, THOOTHUKUDI DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER

IN

CRL OP(MD) No.12126 of 2022

Date :21/07/2022