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CRL OP(MD). N



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

Date : 15/07/2022

PRESENT

The Hon`ble Mr.Justice G.ILANGOVAN

CRL OP(MD). No.12322 of 2022

1. K.Maruthiah,

2. G.Shobana,

... Petitioners/Accused Nos. 2 and 3

Vs

State Rep.by
The Inspector of Police,
Vadipatty Police Station,
Madurai District.
Madurai.
Crime No.150 of 2022..

... Respondent/Complainant

For Petitioners : Mr.Lajapathi Roy T, Advocate.

For Respondent : Mr.P.Kottai Chamy,
Government Advocate (Crl.Side)

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

PRAYER :-

For Anticipatory Bail in Crime No.150 of 2022 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioners are facing charges under Sections 147, 341, 294 (b) and 506(2) I.P.C. and Section 4 of Tamil Nadu Prohibition of Harassment of Women Act, 2002 in Crime No.150 of 2022 on the file of the respondent police.

2.When the matter was hearing on 08.07.2022, it was observed as follows:-

"It appears that trouble arose between the parties, when the petitioners locked the temple against the resolution, which was agreed in the Peace Committee Meeting, that was conducted, on 28.04.2022. Subsequent to



the above said Peace Committed Meeting, the temple was opened. But, later, it was locked by the petitioners. But, after registration of the case, now, it has been opened.

2.Let the petitioners file an undertaking affidavit to the effect that they will comply the resolution, which was taken in the Peace Committee Meeting dated 28.04.2022 in future and following the order passed in IA.No.457 of 2020 in OS.No.35 of 2020 by the District Munsif Court, Vadipatti."

3.The matter has been listed today for filing an affidavit on behalf of the petitioners. The affidavit of undertaking has been filed by the petitioners stating that they will comply the peace committee meeting resolution and adopt the same. On the previous hearing, the respondent police was also present and has submitted that the temple has been opened and now, there is no trouble. The statement of the respondent police is placed on record.

4.In view of the aforesaid development, this Court is inclined to grant anticipatory bail to the petitioners.

5.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, Vadipatti, Madurai, 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 on every Sunday at 10.30 a.m. until further orders. The petitioners shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously.

6.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 shall stand dismissed.

sd/-
15/07/2022

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/07/2022
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

MM

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.

<https://www.mhc.tn.gov.in/judis>



TO

1 THE JUDICIAL MAGISTRATE,
VADIPATTI, MADURAI.

WEB COPY

2 DO THROUGH:
THE CHIEF JUDICIAL MAGISTRATE,
MADURAI.

3 THE INSPECTOR OF POLICE
VADIPATTY POLICE STATION,
MADURAI DISTRICT.
MADURAI.

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

+1 CC to M/s.T.LAJAPATHI ROY, Advocate (SR-7237[I] dated 18/07/2022)

ORDER

IN

CRL OP(MD) No.12322 of 2022

Date :15/07/2022

PKP/SVR/SAR-4/26.07.2022/3P/6C