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CRL OP(MD). N



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

Date : 14/07/2022

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD) . No.12726 of 2022

1. Vikki @ Vignesh,
2. Sathishkumar @ Sathish,
3. Aanathraja @ Ananath, ... Petitioners/Accused No.2 to 4

Vs

State Rep.by
The Sub Inspector of Police,
M.Kallupatti Police Station,
Madurai
(Crime No. 67 of 2022).

... Respondent/Complainant

For Petitioners: MR.G.Thalaimutharasu, Advocate.

For Respondent : Mr.B.Thanga Aravindh,
Government Advocate (Crl.Side)

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

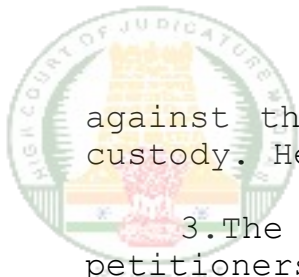
PRAYER :-

For Anticipatory Bail in Crime No. 67 of 2022 on the file of the respondent Police.

ORDER : The Court made the following order :-

The petitioners/Accused No.2 to 4, apprehending arrest at the hands of the respondent police for the alleged offences punishable under Sections 341, 294(b), 323 and 506(i) I.P.C r/w Section 4 of TNPHW Act, in Crime No.67 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. The defacto complainant warned the first accused to stop the relationship with the co-accused. That was objected and caused injury to the defacto complainant. Based upon the complaint given by the defacto complainant, case was registered



against the petitioners. A1 was arrested and remanded to custody. He is still in custody. These petitioners are A2 to A4.

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 the first petitioner is having 1 previous case in Crime No.98 of 2019 for the offences under Sections 147, 148, 294(b), 307 and 506(ii) IPC. Hence, he is not entitled for discretionary relief of anticipatory bail. The petitioners 2 & 3 are concerned, no previous case is pending.

5. Even though, the learned counsel for the petitioner would submit that it is a family dispute between the first accused and the defacto complainant. Insofar as the other petitioners are concerned, no bad antecedents is reported. Since the first accused was arrested and remanded to custody, anticipatory bail may be granted to the petitioners 2 to 4.

6. Considering the facts and circumstances of the case and also considering the fact that the first petitioner is having previous case, this petition is dismissed insofar as the first petitioner is concerned. Insofar as the petitioners 2 & 3 are concerned, no bad antecedents is reported against them, this Court is inclined to grant anticipatory bail to them.

7. Accordingly, this Criminal Original Petition is partly allowed and the petitioners 2&3 are ordered to be released on bail in the event of arrest or on their appearance, before the learned judicial magistrate No.II, Usilampatti, on condition that the petitioners 2&3 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 2&3 shall appear before the respondent police daily at 10.30 a.m. until further orders. The petitioners 2&3 shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously.

8. The petitioners 2&3 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/-

14/07/2022

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/07/2022

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



DSS

CRL OP(MD). N



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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 NO.II
USILAMPATTI.
- 2 DO-THROUGH :
THE CHIEF JUDICIAL MAGISTRATE,
MADURAI DISTRICT.
- 3 THE SUB INSPECTOR OF POLICE
M.KALLUPATTI POLICE STATION, MADURAI.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.G.THALAIMUTHARASU, Advocate (SR-7228[I]dated 18/07/2022

ORDER

IN

CRL OP(MD) No.12726 of 2022

Date :14/07/2022

PKP/SVR/SAR-3/20.07.2022/2P/6C