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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 27/07/2022

PRESENT

The Hon`ble Mr.Justice G.ILANGOVAN

CRL OP(MD) . No.13560 of 2022

1. Subramaniyan
2. Mani
3. Sankar
4. Ananthan @ Vijay Ananthan ... Petitioners/Accused 1 to 4

Vs

State rep.by
The Inspector of Police,
Kulithalai Police Station,
Kulithalai,
Karur District.
(Crime No.403/2022). ... Respondent/Complainant

For Petitioners : M/s.Karuna.V, Advocate.

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

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

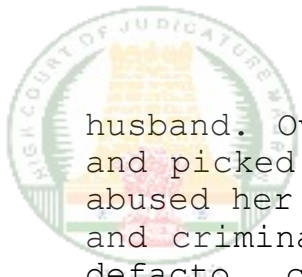
PRAYER :-

For Anticipatory Bail in Cr.No.403/2022 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioners/Accused No.1 to 4, apprehending arrest at the hands of the respondent police for the alleged offences punishable under Sections 294(b), 323, 506(i) I.P.C. and Section 4 of Tamil Nadu Prohibition of Harassment of Women Act, in Crime No.403 of 2022 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that the defacto complainant lodged a complaint stating that on 01.06.2022, she along with her husband occupied the house which belongs to the father of the



husband. Over the above said issue, the accused persons came there and picked up quarrel, who are the brothers of her husband and also abused her in filthy language, assaulted her with wooden log and leg and criminally intimidated her. Based on the complaint given by the defacto complainant, case has been registered against the petitioners.

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 dispute with regard to the occupation of house between the brothers of the husband and the defacto complainant. The accused persons also claimed right over the property. He further submitted that injured was discharged from the hospital and no bad antecedent is reported against the petitioners.

5. Considering the facts and circumstances of the case and also considering the fact that it is a family dispute with regard to the occupation of house between the brothers of the husband and the defacto complainant and the injured was discharged from the hospital and no bad antecedents reported 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.II, Kuzhithalai, Karur District., 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/-

27/07/2022

/ TRUE COPY /

/ /2022

Sub-Assistant Registrar (C.S.III)
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 NO.II,
KUZHITHALAI, KARUR DISTRICT.
 2. -DO- THROUGH
THE CHIEF JUDICIAL MAGISTRATE,
KARUR DISTRICT.
 3. THE INSPECTOR OF POLICE,
KULITHALAI POLICE STATION,
KULITHALAI, KARUR DISTRICT.
 4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.
- +1. CC to M/S. KARUNA.V Advocate SR.No.7901

ORDER
IN
CRL OP(MD) No.13560 of 2022
Date :27/07/2022

SP/SVR/SAR III/03/08/2022/3P/6C