



WEB COPY

CRL OP(MD). N



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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 23/08/2022

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.15070 of 2022

1. Veerapandi

2. Ramasamy

3. Seethalakshmi

4. Seethai

5. Rajamani

... Petitioners/Accused No.1 to 5

Vs

The State rep.by,
The Sub Inspector of Police,
Narikudi Police Station,
Virudhunagar District.
(Crime No.90/2022)..

... Respondent/Complainant

For Petitioners : Mr.Kaliraj.M,
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.90/2022 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioners are facing charges under Sections 147 and 323 IPC and Section 4 of Tamil Nadu Prohibition of Harassment of Women Act, 2002, in Crime No.90 of 2022 on the file of the respondent police.



2.The case of the prosecution, as per the allegation as been made in the complaint, is that on 12.08.2022 at about 07.00 am., the defacto complainant and other persons have made arrangements for going to the work and at that time, the accused persons came there and demanded hire for the vehicle, which belongs to them, over which the trouble has arisen between them and quarrel was picked up with each other. The defacto complainant was assaulted by the accused persons with hands, over which the present FIR has been registered.

3.In respect of the very same occurrence, the counter FIR has been registered in Crime No.89 of 2022, which is earlier in point of time and was also registered for the offences punishable under Sections 147, 294(b), 323, 354 and 506(i) IPC and Section 4 of Tamil Nadu Prohibition of Harassment of Women Act, 2002. But in the complaint, the petitioners stated that over the civil dispute between them, there was previous enmity, over which only, the present occurrence said to have taken place, in which they also got injured.

4.Considering the fact that it is a case and counter case and even though the enmity has been differently stated in both the FIR, 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 Judicial Magistrate Court, Aruppukottai, on condition that the petitioners shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two common 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 am., 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/-

23/08/2022

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/09/2022

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

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TO

1. THE JUDICIAL MAGISTRATE COURT, ARUPPUKOTTAI.

2. DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
VIRUDHUNAGAR @ SRIVILLIPUTHUR.

3. THE SUB INSPECTOR OF POLICE,
NARIKUDI POLICE STATION,
VIRUDHUNAGAR DISTRICT.

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

+1. CC to M/S.KALIRAJ M Advocate SR.No.8904

ORDER

IN

CRL OP(MD) No.15070 of 2022

Date : 23/08/2022

RK/JM/SAR-IV (02/09/2022) 3P/6C