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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 30/09/2022

PRESENT

The Hon`ble Mr.Justice G.ILANGOVAN

CRL OP(MD) . No.15907 of 2022

1. Kutti @ Prasath
2. Alla @ Sathishkumar

... Petitioners/Accused
No.1 & 2

Vs

State rep.by
The Sub Inspector of Police,
M.Kallupatti Police Station,
Madurai.
(Crime No.75/2022).

... Respondent/Complainant

For Petitioners : M/s.Thalaimutharasu.G, Advocate.

For Respondent : Mr.RMS.Sethuraman,
Additional Public Prosecutor

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

PRAYER :-

For Anticipatory Bail in Crime No.75 of 2022 on the file of the respondent Police.

ORDER : The Court made the following order :-

The petitioners, who apprehend arrest at the hands of the respondent police for the alleged offence punishable under Sections 452, 354, 506(i), 109 of IPC r/w Section 4 of TNPWH Act, in Crime No.75 of 2022, seek anticipatory bail.

2.The case of the prosecution is that due to previous motive, the petitioners misbehaved with the defacto complainant and his sister, abused and also attacked them in the public place. Therefore, the present case came to be registered.



3.The earlier application filed by the petitioners seeking anticipatory bail was dismissed by this on the ground that the petitioner said to have assaulted the defacto complainant/wife severely.

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4.On earlier hearing, the learned counsel for the petitioner submitted that after the above said occurrence, they have compromised and living together. Therefore, the statement of the defacto complainant and accused was ordered to be recorded. Today, the learned counsel for the petitioner submitted that the compromise was recorded.

5.In view of the fact that the defacto complainant and the accused persons compromised the issue and living together, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

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, Usilampatti, 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. The petitioners must keep their good conduct in future.

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/-
30/09/2022

/ TRUE COPY /

/10/2022
Sub-Assistant Registrar (C.S.II)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TM

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.



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.THALAIMUTHARASU.G Advocate SR.No.10918

ORDER
IN
CRL OP(MD) No.15907 of 2022
Date :30/09/2022

SP/GB/SAR II/14/10/2022/3P/6C