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CRL OP(MD). N



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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 20/10/2022

PRESENT

The Hon`ble Mr.Justice A.A.NAKKIRAN

CRL OP(MD). No.18885 of 2022

1. Karthick,
2. Priya,
3. Thirupathy,
4. Gowsalya,
5. Anbuselvam @ Anbu,
6. Ariyanchi,
7. Murugeswari, ... Petitioners/Accused Nos. 1 to 7

Vs

State Rep.by
The Inspector of Police,
Keerathurai Police Station,
Madurai District.

(Crime No.600/2022). ... Respondent/Complainant
For Petitioners : Mr.V.Chandrapandi, Advocate.

For Respondent : Mr.M.Muthumanikkam,
Government Advocate (Crl.Side)

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

PRAYER :-

For Anticipatory Bail in Cr No.600/2022 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioners/A1 to A7, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 147, 323, 448, 506(i) of IPC and Section 4 of Women Harassment Act, in Crime No.600 of 2022, seek anticipatory bail.



2.The case of the prosecution is that while studying in college, the first accused and the defacto complainant fell in love with each other. Thereafter, they married with different persons and now, the first accused is having a child. Even then, they were developed their relationship and the same was questioned by the first accused's family members, at that time, the accused persons abused the defacto complainant in filthy language and also attacked him. Hence the complaint.

3.The learned counsel for the petitioners would submit that the petitioners are innocents and they have not committed any offence as alleged by the prosecution. Hence, he prays for anticipatory bail.

4.The learned Government Advocate(Crl.Side) would submit that the petitioners are having no previous case and the investigation is not yet completed. Hence, he strongly opposed to grant anticipatory bail.

5.Considering the facts and circumstances of the case and considering the nature of the offence and also the fact that the petitioners is not having any bad antecedents, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

6.Accordingly, the petitioners are ordered to be released on bail in the event of their arrest or their appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate No.IV, Madurai, 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 respondent Police or to the Police Officer, who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further conditions that:

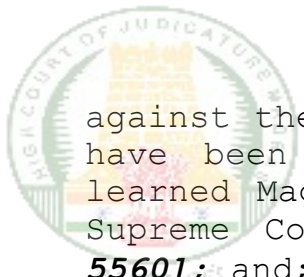
(a)the petitioners and the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

(b)the petitioners shall report before the respondent police daily at 10.30 am until further orders.

(c)the petitioners shall not tamper with evidence or witness either during investigation or trial;

(d)the petitioners shall not abscond either during investigation or trial;

(e)on breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action



against the petitioners in accordance with law as if the co is have been imposed and the petitioners released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in **P.K.Shaji Vs. State of Kerala [(2005) AIR SCW 5560]**; and;

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(f)if the accused thereafter abscond, a fresh FIR can be registered under Section 229-A IPC.

sd/-
20/10/2022

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/11/2022

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

TO

- 1 THE JUDICIAL MAGISTRATE NO.IV,
MADURAI.
- 2 DO THROUGH:
THE CHIEF JUDICIAL MAGISTRATE,
MADURAI.
- 3 THE INSPECTOR OF POLICE
KEERATHURAI POLICE STATION,
MADURAI DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.V.CHANDRAPANDI, Advocate (SR-11911[I] dated 26/10/2022)

ORDER
IN
CRL OP(MD) No.18885 of 2022
Date :20/10/2022

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PKP/GB/SAR-2/02.11.2022/3P/6C