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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 12.01.2022

PRESENT

The Hon'ble Mr.Justice G.ILANGOVAN

CRL OP(MD). No.20726 of 2021

1. G.Sambath
2. Irulayee @ Rajeswari
3. Manimegalai ... Petitioners/Accused No.1 to 3

Vs

State rep.by
The Inspector of Police,
D1 Police Station,
Manamadurai,
Sivagangai District.
(Crime No.592/2021). ... Respondent/Complainant

For Petitioners : M/s.A.Gandhiveeran, Advocate

For Respondent : M/s.S.Manikandan,
Government Advocate (Crl.Side)

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

PRAYER :-

For Anticipatory Bail in Crime No.592/2021 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioners/Accused Nos.1 to 3, apprehending arrest at the hands of the respondent police for the alleged offence punishable under Sections 294(B), 323, 341, 355, **(*)109** and 506(i) IPC, in Crime No.592 of 2021 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that on 17.12.2021, the de-facto complainant had gone to the Sub-Registrar, Manamadurai, for the purpose of registering the property, which was purchased in his father's name. At that time, the petitioners made an objection and

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there was quarrel between them. As a result of which, the case of the counter has been registered. On the basis of the complaint given by the de-facto complainant, Crime No.592 of 2021 was registered. On the basis of the complaint given by the petitioner party, the case in Crime No.591 of 2021 has been registered for the very same offences. There is a dispute between the brother and sister.

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 this is a case and counter and the injured person has been discharged from the hospital and the third petitioner is having one previous case.

5. Considering the nature of offence, the injured person has been discharged from the hospital, this Court is inclined to grant anticipatory bail to the petitioners.

6. Accordingly, this Criminal Original Petition is allowed and petitioners are ordered to be released on bail in the event of arrest or on their appearance, before the Judicial Magistrate, Manamadurai, on condition that the petitioners shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) 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 once in a month 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/-
12/01/2022

(*) Amended as per order of this Hon'ble Court dated 10/02/2022 in Crl.MP(MD). No.2156 of 2022 in CRL OP(MD) No.20726 of 2021.

Time is extended by two weeks from the date of receipt of a copy of this order.

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

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gbg/btr

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
To be substituted the order dated 12.01.2022 already despatched.

1. The Judicial Magistrate,
   Manamadurai.

2. -Do-Through
   The Chief Judicial Magistrate,
   Sivagangai District.

3. The Inspector of Police,
   D1 Police Station,
   Manamadurai,
   Sivagangai District.

4. The Additional Public Prosecutor,
   Madurai Bench of Madras High Court,
   Madurai.

+1. CC to M/S.A.GANDHIVEERAN, Advocate SR.No.1010(I)

ORDER
IN
CRL OP(MD) No.20726 of 2021
Date :12/01/2022

SP/VR/SAR IV/01/02/2022/3P/6C

das
PKP/PN/SAR-1/18.02.2022/3P/6C

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