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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 21/12/2022

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD) . No.22665 of 2022

1. Chelladurai
2. Selvarani
3. M.Vijayalakshmi

... Petitioners/Accused
No.7,8 & 9

Vs

State rep.by
The Inspector of Police,
All Women Police Station,
Theni District.
(Crime No.63/2022).

... Respondent/Complainant

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

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

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

PRAYER :-

For Anticipatory Bail in Crime No.63/2022 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioners/Accused, apprehending arrest at the hands of the respondent police for the alleged offence punishable under Sections 323, 506(i) and 109 of IPC and Section 4 of TNPWH Act, in Crime No.63 of 2022 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution as per the defacto complainant is that her husband / A1 had illegal intimacy with A6, the petitioners have helped him. Hence, the complaint.



3. The learned counsel for the petitioners submitted that petitioners are innocent and they have not committed any offence as alleged by the prosecution and their names have been falsely implicated in this and hence, he seeks anticipatory bail.

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4. The learned Government Advocate (Crl. Side) for the respondent police submitted that the petitioners are not having any previous case and the injured has been discharged from the hospital. He further submitted that when defacto complainant questioned the A1 about his illegal intimacy the petitioners herein criminally intimidated her and hence, he opposes to grant anticipatory bail to the petitioners.

5. Considering the facts and circumstances of the case and also considering the fact that the injured was discharged from the hospital and that there is no previous case against the petitioner, 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, Theni 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/-
21/12/2022

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/01/2023
Sub-Assistant Registrar (C.S.III)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TRP



1. THE JUDICIAL MAGISTRATE,
THENI.

2. -DO- THROUGH
THE CHIEF JUDICIAL MAGISTRATE,
THENI DISTRICT.

3. THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
THENI DISTRICT.

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

ORDER

IN

CRL OP (MD) No.22665 of 2022

Date :21/12/2022

SP/MMS/SAR III/04/01/2023/3P/5C