



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 18/05/2023
PRESENT

WEB COPY

The Hon`ble Mrs.Justice T.V.THAMILSELVI

CRL OP(MD) . No.9063 of 2023

1. Rajalingam,
2. Ramalakshmi,
3. Revathi @ Muniyaselvi @ Murugeshwari,

... Petitioners/Accused 1,2 & 3

Vs

The State rep.by
The Inspector of Police,
Thiruchuli Police Station,
Virudhunagar District.
Crime No.241 of 2022.

... Respondent/Complainant

For Petitioner : M/s.SIVANANTHAN T,
Advocate.

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

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

PRAYER :- For Anticipatory Bail in Crime No.241 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 offences punishable under Sections 147, 294(b), 323, 355, 506(1) and 379 of the Indian Penal Code, 1860, r/w Section 4 of the Tamil Nadu Prohibition of Harassment of Women Act, 2002, in Crime No.241 of 2022, seek anticipatory bail.

2.The case of the prosecution is that there was a civil dispute between the petitioners and the defacto complainant, due to which, the petitioners absued the defacto complainant and her daughter and snatched a chain from her daughter. Hence, the complaint.



3.The learned counsel for the petitioners submitted the petitioners are innocent persons and they have been falsely implicated in this case.

4.The learned Government Advocate(Crl.Side) appearing for the respondent police submitted that the the investigation is almost completed.

5.Considering the facts and circumstances of the case and also the nature of allegations levelled against the petitioners, 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 their appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate, Thiruchuli, 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 on further conditions that:

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

(b)the first petitioner shall report before the respondent Police on every Wednesday at 10.30 a.m., until further orders and the petitioner Nos.2 and 3 shall report before the respondent police as and when required for interrogation;

(c)the petitioners shall not tamper with the 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 conditions 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;

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

sd/-

18/05/2023

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



1 THE JUDICIAL MAGISTRATE,
THIRUCHULI.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
VIRUDHUNAGAR DISTRICT AT SRIVILLIPUTHUR.

3 THE INSPECTOR OF POLICE,
THIRUCHULI POLICE STATION,
VIRUDHUNAGAR DISTRICT.

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

+1. CC to M/S.SIVANANTHAN T Advocate SR.No.7689 **(I)** Dt.19/05/2023

ORDER

IN

CRL OP(MD) No.9063 of 2023

Date :18/05/2023

SA/26.05.2023/3P/6C