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CRL OP(MD).



23

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Date : 25/05/2023

PRESENT

The Hon'ble Mr.Justice P.VADAMALAI

CRL OP(MD) . No.9554 of 2023

1. Mariammal
 2. Maruthavalli
 3. Nivetha
 4. Muthupandian
 5. Mathankumar
- ... Petitioners/Accused

Vs

State represented by
The Inspector of Police,
Teppakulam Police Station.
Cr.No.205/2023.

... Respondent/Complainant

For Petitioners : M/s.Pradeep.P,
Advocate.

For Respondent : Mr.R.Sursh Kumar,
Government Advocate (Crl.Side)

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

PRAYER :- For Anticipatory Bail in Crime No.205/2023 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioners/accused who apprehend arrest at the hands of the respondent police for the offences punishable under sections 147, 148, 294(b), 323, 324, 506(ii) of I.P.C., and Section 4 of TNPWH Act, in Crime No.205 of 2023 on the file of the respondent police, seeks anticipatory bail.



2. The case of the prosecution is that in order to have a love marriage of the bride and bridegroom belongs to backward communities, there was a dispute between the families, at that time, the petitioners assaulted the defacto complainant and caused injury. Hence, the complaint.

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3. The learned counsel for the petitioner would submit that the petitioners are innocent and they have not committed any offence as alleged by the prosecution. He further submitted that it is a case in counter case.

4. The learned Additional Public Prosecutor(Cri.Side) appearing for the respondent would submit that there are totally 17 accused in this case and that Accused No.17 is having two previous cases and no previous cases is pending against the other accused persons. He further submits that injured has been discharged from the hospital.

5. Heard. Perused the materials available on record including the First Information Report.

6. Taking into consideration of the facts and circumstances of the case and also the fact that injured has been discharged from the hospital, this court is inclined to grant anticipatory bail to the petitioners , with certain conditions:

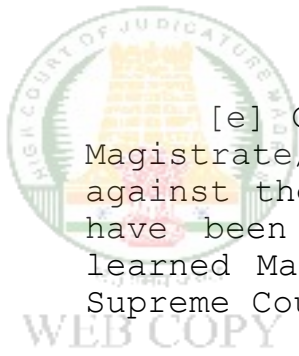
7. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned judicial Magistrate No.I, Madurai, on condition that the petitioners shall execute a bond 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 condition 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 a.m., for a period of 30 days and thereafter as and when required for interrogation.

[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 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].

[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

sd/-
25/05/2023

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/05/2023

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

RMI

TO

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

+1 CC to M/s.PRADEEP.P, Advocate (SR-7841[I] dated 25/05/2023)

ORDER
IN
CRL OP(MD) No.9554 of 2023
Date :25/05/2023

RK/SAR- (26/05/2023) 3P/6C