



CRL OP(MD). No.9994 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 08/06/2023

PRESENT

The Hon`ble Mr.Justice G.K.ILANTHIRAIYAN

CRL OP(MD). No.9994 of 2023

1. Thavamani

2. Sasikala

... Petitioners/ Accused No.2 & 3

Vs

State Rep.by
The Inspector of Police,
Thiruvonam Police Station,
Thanjavur District
(Crime No.376 of 2023).

... Respondent/Complainant

For Petitioners : M/s.Pitchai Muthu.M,Advocate.

For Respondent : Mr.R.M.Anbunithi,
Additional Public Prosecutor

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

PRAYER :-

For Anticipatory Bail in Crime No.376 of 2023 on the file of the respondent police

ORDER : The Court made the following order :-

<https://www.mhc.tn.gov.in/judis>



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The petitioners/A2 & A3, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections (*)451, 294(b), 323, 354, 354-A, 506(i) IPC & Section 4 of TNPHW Act, in Crime No.376 of 2023 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that due to previous motive, all the accused persons said to have made quarrel with her, assaulted her and abused her in filthy language and also threatened her with dire consequences. Hence, the case.

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

4.It is submitted by the learned Additional Public Prosecutor that the injured has been discharged from the hospital.

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

6.Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned Judicial Magistrate, Orathanadu, Thanjavur District, on condition that the petitioner shall execute a bond for a sum of



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Rs.10,000/- (Rupees Ten Thousand only) with two sureties each for a like sum to the satisfaction of the respondent police or the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:

[a] the petitioner 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 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 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].



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[f] If the accused thereafter absconds, a fresh FIR can be registered under

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Section 229A IPC.

sd/-
08/06/2023

(*)Amended as per order of the court dated
28/07/2023 in CRL MP(MD)No. 10218 of
2023 in CRL OP(MD)NO. 9994 of 2023 by GIJ

Time is also extended for 15 days, from the
date of receipt of copy of this order

/ TRUE COPY /

/08/2023

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

SJI

TO

TO BE SUBSTITUTED WITH THE ORDER DT.08/06/2023 ALREADY
DESPATCHED

1 THE JUDICIAL MAGISTRATE, ORATHANADU, THANJAVUR DISTRICT.

2 DO-THROUGH : THE CHIEF JUDICIAL MAGISTRATE,
THANJAVUR DISTRICT AT KUMBAKONAM.

3 THE INSPECTOR OF POLICE, THIRUVONAM POLICE STATION,
THANJAVUR DISTRICT.



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

ORDER
IN
CRL OP(MD) No.9994 of 2023
Date :08/06/2023

RS/CG/SAR-(14.06.2023) 5P 5C
PNM
PKP/BUC/SAR- /09.08.2023/ 5P/5C

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