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CRL OP(MD). N



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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 12/06/2023

PRESENT

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

CRL OP(MD) . No.10217 of 2023

1. Veeravel,
2. Annapoornai,
3. Karuppaiah,
4. Kowsalya,
5. Saravanan,

... Petitioners/Accused Nos. 1 to 5

Vs

State rep.by
The Inspector of Police,
All Women Police Station,
Aranthangi,
Pudukkottai District.
Cr.No.2/2023.

... Respondent/Complainant

For Petitioner : M/s.Karuppasamy Pandian.G,
Advocate.

For Respondent : Mr.R.M.Anbunithi,
Additional Public Prosecutor(Criminal side)

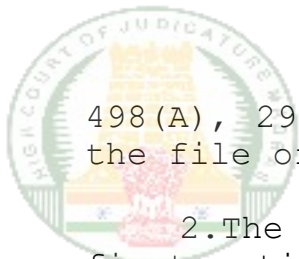
PETITION FOR ANTICIPATORY BAIL Under Sec.438 of Cr.P.C

PRAYER :-

For Anticipatory Bail inCr.No.2/2023 on the file of the
respondent police.

ORDER : The Court made the following order :-

The petitioners/A1 to A5, who apprehend arrest at the hands of
the respondent police for the offences punishable under Sections



498(A), 294(b), 323 and 506(i) of I.P.C., in Crime No.2 of on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that the marriage between the first petitioner and the de-facoto complainant was solemnized on 23.08.2020 and they were blessed with the son. Thereafter, the petitioner had spoken with many girls in phone in the presence of the de-facto complainant. When it was questioned, the first petitioner assaulted her and also threatened her with dire consequences, hence the case.

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

4.Taking into consideration of the facts and circumstances of the case and also the fact that it is a case of matrimonial dispute, this court is inclined to grant anticipatory bail to the petitioners with certain conditions:

5.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 Court, Aranthangi, 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 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 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 first petitioner shall report before the respondent Police, daily at 10.30 a.m., for a period of two weeks and thereafter, as and when required for interrogation; and the petitioners 2 to 5 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. 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 abscond, a fresh FIR can be registered under Section 229A IPC.

sd/-
12/06/2023

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/ 06 /2023
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

SJI

TO

1. The Judicial Magistrate Court, Aranthangi.
2. Do-Through The Chief Judicial Magistrate,
Pudukottai District.
3. The Inspector of Police,
All Women Police Station,
Aranthangi,
Pudukkottai District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

1 CC to M/s.G.KARUPPASAMY PANDIYAN, Advocate (SR-8516[I] dated
12/06/2023)

ORDER
IN
CRL OP(MD) No.10217 of 2023
Date :12/06/2023

DL/VS(23.06.2023)/ 3P/ 6C