



WEB COPY

CRL OP(MD). A



23

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

Date : 06/07/2023

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD) . No.12211 of 2023

1. Vanitha

2. Thambialaiyan

... Petitioners / Accused No.1 & 2

Vs

State rep by

The Inspector of Police,
Pattukottai Taluk Police Station,
Thanjavur District.

(Crime No.284 of 2023.)

... Respondent / Complainant

For Petitioners : M/s.Thenrajan K, Advocate

For Respondent : Mr.S.Manikandan,
Government Advocate (Crl.Side)

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

PRAYER :-

For Anticipatory Bail in Crime No.284 of 2023 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 294(b), 323, 427, 506(i) of I.P.C and Section 4 of TNPHW Act, in Crime No.284 of 2023 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that due to family dispute, the accused persons, who are the relatives of the defacto complainant had abused and assaulted her. The accused persons also criminally threatened her. Hence, the complaint.

3.The learned counsel for the petitioners submitted that the petitioners are innocent and a false case was foisted against them. Since there was a family dispute between the parties. The



injured has been discharged from the hospital. Though the case under Section 427 has been mentioned in the FIR, there is no allegation to the effect of damages in the FIR. Hence, prays to release them on anticipatory bail.

4.The learned Government Advocate (Crl.Side) submitted that in this case, though the injured has been discharged from the hospital, the accused persons had abused and assaulted the defacto complainant. Hence, prays to dismiss the petition.

5.Heard the learned counsel appearing on either side and perused the materials placed before this Court.

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

7. 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, Pattukkottai**, 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.

8.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/-

06/07/2023

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/07/2023

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

PNM

TO

1. The Judicial Magistrate,
Pattukkottai.

2. Do-Through The Chief Judicial Magistrate,
Tanjavur District at Kumbakonam.



3. The Inspector of Police,
Pattukottai Taluk Police Station,
Thanjavur District.

4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

ORDER

IN

CRL OP(MD) No.12211 of 2023

Date :06/07/2023

ED/ /SAR- (10/07/2023) 3P C