



WEB COPY

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

Date : 13/09/2023

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN
CRL OP(MD). No.12564 of 2023

1.R.Kumar
2.K.Lakshmi Priya
3.K.Usha Rani

... Petitioners/ Accused Nos.1 to 3

Vs

The State Rep.by
1.State represented by
The Sub Inspector of Police,
C3 Appanthirupathi Police Station,
Madurai District,
in Crime No.96 of 2023.

... Respondent/ Complainant

2.Aruneeswaran,

... 2nd Respondent/Defacto Complainant

(R2 is suo motu impleaded as per the order of the
Court dated 11/07/2023 in CRL OP(MD)No.12564
of 2023)

For Petitioner : Mr.I.Shaji Chellan, Advocate.
For R1 : Mr.R.Suresh Kumar,
Government Advocate (Crl.Side)
For R2 : None Appearance

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

PRAYER :-

For Anticipatory Bail in Crime No.96 of 2023 on the file of the respondent
Police.

ORDER : The Court made the following order :-



The petitioner/ Accused apprehends arrest at the hands of the respondent police for the offences under Sections 294(b), 324, 506(ii) of IPC and Section 4 of Tamil Nadu Prohibition of Harassment of Women Act, 1998, in Crime No.96 of 2023, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that due to family dispute, on 02.07.2023 at about 5.30 p.m., when the defacto complainant along with his brother went to the complex built by him, the petitioners have objected them, abused them in filthy language, assaulted them and caused injuries. Hence the complaint.

3. The learned counsel for the petitioners submitted that the petitioners are innocents, they have been falsely implicated in this case and they have not committed any offence as alleged by the prosecution.

4. Learned Additional Public Prosecutor would submit that trouble has arisen between the husband's family and the wife's family due to matrimonial dispute.

5. Perusal of the records shows that expecting possibility of settlement, the second respondent was served with notice. There is no appearance of the second respondent eventhough, his name is printed in the cause list. It is a issue between the family members. Considering the facts and circumstances of this case, this Court is inclined to grant relief to the petitioners herein.

6. 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 No.V, Madurai, on condition that the petitioners shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each with two common sureties each for a like sum to the satisfaction of the learned Magistrate concerned and considering the age of the petitioners and the nature of the dispute between them, the petitioners shall appear before the respondent police as when required. The petitioners shall comply with the condition stipulated under Section 438 of Cr.P.C., scrupulously.

7. The petitioners shall appear before the concerned Magistrate within a period of 15 days from the date on which the order copy is made ready, failing which, the petition for anticipatory bail will stand dismissed.

sd/-
13/09/2023

(*)Amended as per order of this Hon'ble Court dated 31.10.2023 in CRL MP(MD). 15094/2023 in CRL OP(MD).12564/2023 by VSGJ)

/ TRUE COPY /

/11/2023
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

TO BE SUBSTITUTED WITH THE ORDER ALREADY DESPATCHED ON 10.10.2023

1 THE JUDICIAL MAGISTRATE NO.II, MADURAI.



2 THE JUDICIAL MAGISTRATE NO.V, MADURAI.

3 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, MADURAI DISTRICT.

4 THE INSPECTOR OF POLICE, C3, APPANTHIRUPATHI POLICE STATION,
MADURAI DISTRICT.

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

+1 CC to M/s.L.SHAJI CHELLAN, Advocate (SR-15723[I] dated 31/10/2023)

ORDER

IN

CRL OP(MD) No.12564 of 2023

Date :13/09/2023

MK/06.10.2023 4P 6C

RS/JGB/SAR. (21.11.2023) 4P- 7C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17/07/2023