



WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 13/07/2023

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.12730 of 2023

1. Raja @ Raja Prakash

2. Satheeshkumar

3. Muthuselvi

4. Nagammal

... Petitioners/ Accused No.1 to 4

Vs

The State represented by
The Inspector of Police,
Suceendram Police Station,
Kanyakumari District.
(Crime No.191 of 2023).

... Respondent/ Complainant

For Petitioners : M/s.Rajesh.R, Advocate

For Respondent : Mr.S.Manikandan,

Government Advocate (Crl.Side)

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

PRAYER :-

<https://www.mhc.tric.gov.in/> For Anticipatory Bail in Crime No.191 of 2023 on the file of the Respondent Police.



ORDER: The Court made the following order :-

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The petitioners/Accused, apprehending arrest at the hands of the respondent police for the alleged offence punishable under Sections 294(b), 506(i) of I.P.C and Section 4 of TNPHW Act, in Crime No.191 of 2023 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that due to previous enmity, on 28.06.2023, the accused persons had abused and criminally threatened the defacto complainant. 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 previous enmity between the parties. No was been injured in the occurrence. Hence, prays to release them on anticipatory bail.

4.The learned Government Advocate (Crl.Side) submitted that in this case, though no one has been injured in the occurrence, the accused persons had abused and threatened 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 no one has been injured in the occurrence, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.



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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, Valliyoor*, 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/-
13/07/2023

(*)For being mentioned as per the order of this Court dated 01/08/2023 in CRL OP(MD)No.12730 of 2023.

Further time granted by this court is also extended further for a period of fifteen 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.



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TO

TO BE SUBSTITUTED WITH THE ORDER DATED 13/07/2023 ALREADY DESPATCHED.

- 1 THE JUDICIAL MAGISTRATE, VALLIYOOR.
- 2 THE JUDICIAL MAGISTRATE,
ADDITIONAL MAHILA COURT, NAGERCOIL.
- 3 DO-THROUGH :
THE CHIEF JUDICIAL MAGISTRATE,
KANYAKUMARI DISTRICT AT NAGERCOIL.
- 4 THE INSPECTOR OF POLICE
SUCEENDRAM POLICE STATION,
KANYAKUMARI DISTRICT.
- 5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

+1 CC to M/s.R.RAJESH, Advocate (SR-10795[I] dated 17/07/2023)

ORDER
IN

CRL OP(MD) No.12730 of 2023
Date :13/07/2023

SS/MMS/24/07/2023/4P/6C

SS/MMS/02/08/2023/4P/7C

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