



CRL OP(MD). No.12853 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 14/07/2023

PRESENT

The Hon'ble Mr.Justice G.ILANGO VAN

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1.Balu @ Balamurugan

2.Vinoth @ Karaimurugan

3.Samayan

4.Sankar

5.Ramu @ Ramalakshmi

... Petitioners/ Accused Nos.1 to 5

Vs

The State, represented by
The Inspector of Police,
Sivakasi East Police Station,
Virudhunagar District.
Crime No.266 of 2023.

... Respondent/ Complainant

For Petitioner : Mr.MANIKANDAN.A,
Advocate.

For Respondent : Mr.S.MANIKANDAN,
Government Advocate (CrI.Side)

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

PRAYER :- For Anticipatory Bail in Crime No.266/2023 on the file of the Respondent police.

ORDER : The Court made the following order :-

The petitioners/ Accused No.1 to 5, apprehending arrest at the hands of the



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respondent police for the alleged offence punishable under Sections 147, 148, 294(b), 323, 324, 506(ii) I.P.C., and Section 4 of TN Prohibition of Harassment of Women Act, in Crime No.266 of 2023 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that the defacto complainant's son had love affair with the first petitioner's daughter and on 05.07.2023, the defacto complainant's son took the first petitioner's daughter along with him and case was registered in Crime No.261 of 2023 under the caption Women Missing. Thereafter, on 09.07.2023, when the petitioners and other accused persons demanded the defacto complainant to vacate the house, the accused persons abused and attacked the defacto complainant with deadly weapon and threatened with dire consequences. Hence, the complaint.

3. The learned counsel for the petitioners submitted that the petitioners are innocent and they have been falsely implicated in this case and it is a case and counter case.

4. The learned Government Advocate (Crl. Side) for the respondent Police submitted that it is a case and counter case and the counter case registered in Crime No.267 of 2023 for the offences punishable under Section 341, 147, 294(b), 323, 324, 506(2) of IPC and 4 of TNPWH Act. In both the cases, injured have been discharged from the hospital.



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5. Considering the nature of offence, it is a case and counter case, the injured persons in both the cases have been discharged from the hospital, this Court is inclined to grant anticipatory bail to the petitioners.

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.II, Sivakasi, Virudhunagar District, 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 on receipt of summons and as and when required for interrogation. The petitioners shall comply with the condition stipulated under Section 438 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 made ready, failing which, the petition for anticipatory bail stands dismissed.

sd/-
14/07/2023

/ TRUE COPY /

/07/2023
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.



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INDU
TO

1 THE JUDICIAL MAGISTRATE COURT NO.II,
SIVAKASI, VIRUDHUNAGAR DISTRICT.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
VIRUDHUNAGAR DISTRICT AT SRIVILLIPUTHUR.

3 THE INSPECTOR OF POLICE,
SIVAKASI EAST POLICE STATION,
VIRUDHUNAGAR DISTRICT.

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

+1. CC to M/S.MANIKANDAN.A Advocate SR.No.10762

ORDER
IN

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Date :14/07/2023

SA/MMS/SAR. /25.07.2023/4P/6C

Madurai Bench of Madras High Court is issuing
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