



CRL OP(MD). No.12881 of 2023

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

Date : 02/08/2023

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

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1. Ganapathy
2. Ganesan
3. Saraswathi
4. Anushiya
5. Abirami
6. Siva @ Siva Subramaniam

... Petitioners / Accused No.1 to 6

Vs

1. The State represented by
The Inspector of Police,
Ulagampatti Police Station,
Sivagangai District.
(In Crime No.29/2023).

...1st Respondent / Complainant

2. V.Ramesh Kumar,
S/o. T.Viswanathan,
6/7, Anjugam Street,
East Govindapuram,
Dindigul.

... 2nd Respondent

(R2 is Suo-Motu Impleaded as Per
Order of this Court dated 14.07.2023
and R2 name was amended as per
order of this Court dated 02.08.2023)



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For Petitioner : M/s.F.Deepak, 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.29 of 2023 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/accused No.1 to 6, who apprehends arrest at the hands of the respondent police for the offences punishable under sections 147, 341, 294(b), 323, 506(i) and 379 of I.P.C., in Crime No.29 of 2023 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution as per the de-facto complainant is that on 01.05.2023, at about 07.00 p.m., when the defacto complainant along with his family travelled in a car, their car was intercepted by these accused persons. Their gold jewels have been stolen by them. They also caused assault upon them. Hence, the complaint.

3.The learned counsel for the petitioners would submit that the petitioners are innocent persons and they have not committed any offences as alleged by the prosecution. There is a matrimonial dispute between the parties. The fourth accused is the wife of the defacto complainant in this case.

4. It was submitted that by the order dated 14.07.2023, for exploring the



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possibility of settlement one Ramesh was suo motu impleaded as second respondent in this petition and notice was also ordered to him. But, it could not be served. But, however, it is submitted that instead of 'V.Ramesh Kumar, S/o. T.Viswanathan, 6/7, Anjugam Street, East Govindapuram, Dindigul', who is the defacto complainant in the present crime Number namely Crime No.29 of 2023, one 'Ramesh, S/o Viswanathan, Dindigul West Govindhapuram, now Kattukudipatti, Singampunari Taluk, Sivagangai District,' was wrongly impleaded as second respondent in this case. Registry is directed to carry out the above said corrections accordingly.

5.The learned Government Advocate (Crl. Side) would submit that now the case was altered to Sections 147, 341, 294(b), 323, 506(i) of IPC finding that the above said missing of jewel is not true. In view of the above said submissions, this Court is inclined to grant anticipatory bail to the petitioners with conditions.

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, Singampunary, Sivagangai 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 daily at 10.30 a.m. until further orders. The petitioners shall



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comply with the condition stipulated under Section 438 Cr.P.C. scrupulously.

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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/-
02/08/2023

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/08/2023
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TM

TO

1.The Judicial Magistrate,
Singampunary,
Sivagangai District.

2.Do through the Chief Judicial Magistrate,
Sivagangai District.

3.The Inspector of Police,
Ulagampatti Police Station,
Sivagangai District.

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

+1. CC to M/S.F.DEEPAK Advocate SR.No.11721(I), dated 03.08.2023



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ORDER

IN

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Date :02/08/2023

ED/VRS/SAR- (24/08/2023) 5P / 6C

Madurai Bench of Madras High Court is issuing certified copies in this format from
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