



CRL OP(MD). No.12936 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 31/07/2023

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

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1.Sankarasubbu

2.Vijayalakshmi

3.Harikrishnan

4.Dhanalakshmi

5.Jeyasudha

... Petitioners / Accused Rank not known

Vs

The State represented by
The Inspector of Police,
Elayirampannai Police Station,
Virudhunagar District.
In Crime No. 102 of 2023.

... Respondent/Complainant

For Petitioners : M/s.S.Prabha ,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.102 of 2023 on the file of the Respondent
Police

<https://www.mhc.tn.gov.in/judis>



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ORDER : The Court made the following order :-

The petitioner/ Accused Rank not known, apprehending arrest at the hands of the respondent police for the alleged offence punishable under Sections 147, 148, 341, 294(b), 355, 323 and 506(ii) of IPC read with Section 4 of Tamil Nadu Prohibition of Women Harassment Act, in Crime No. 102 of 2023, on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that on 11.07.2023 at about 06.30 p.m., the first petitioner herein / accused person made phone call to the defacto complainant's mother, criminally intimidating her not to give their tractor to one Nagaraj, not to ask for partition of property by filing petitions. When the same was questioned by the defacto complainant, the accused persons attacked the defacto complainant, abused him with filthy language and threatened him with dire consequences. Hence the complaint.

3. The learned counsel for the petitioners submitted that the petitioners herein are the parents of the first accused. The petitioners are innocent and they have been falsely implicated in this case. They have not committed any offence as alleged by the prosecution.



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4. The learned Government Advocate (Crl.side) would submit that it is a case, case in counter. The first accused is having three previous cases and the third accused is having one previous case. The injured in this case has been discharged from the hospital.

5. Eventhough Accused No.1 is having three previous cases, considering the fact that it is a case, case in counter, between the parties over the right for a property, the petitioner was directed to file a copy of the judgment in A.S.No.25 of 2014. The copy of the said judgment is also produced before this Court. Perusal of the judgment shows that this petitioner seems to be the appellant was originally shown as the first defendant before the trial Court in O.S.No.64 of 2009. After disposal of the above said appeal, it appears that the trouble has arisen between the parties.

6. Considering the facts and circumstances of this case and also the fact that it is a case, case in counter, this Court is inclined to grant anticipatory bail to the petitioner.

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 his appearance, before the learned Judicial Magistrate No.I, Sattur, Virudhunagar District, on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand



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only) 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 petitioner 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/-
31/07/2023

/ TRUE COPY /

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

PNN
TO

- 1 THE JUDICIAL MAGISTRATE NO.I
SATTUR, VIRUDHUNAGAR DISTRICT.
- 2 DO THROUGH:
THE CHIEF JUDICIAL MAGISTRATE,
VIRUDHUNAGAR DISTRICT @ SRIVILLIPUTHUR.
- 3 THE INSPECTOR OF POLICE
ELAYIRAMPANNAI POLICE STATION,VIRUDHUNAGAR DISTRICT.



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

ORDER
IN
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Date :31/07/2023

PKP/MMS/SAR- /14.08.2023/ 5P/ 5C

Madurai Bench of Madras High Court is issuing certified
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