



CRL OP(MD). No.12988 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 18/07/2023

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

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1.Mariya Micheal @ Rajendran

2.Jeslin Raj

3.Joseph Raj @ Joseph

4.Shajin Jose @ Sajin

... Petitioners/ Accused Nos.2,3,5 and 6

Vs

State represented by

The Inspector of Police,

Karungal Police Station,

Kanyakumari District.

(In Crime No.170 of 2023)

... Respondent/Complainant

For Petitioners : M/s.M.YESUDASAN, Advocate

For Respondent : Mr.M.VAIKKAM KARUNANITHI

Government Advocate (Crl.side)

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

PRAYER :- For Anticipatory Bail in Crime No.170 of 2023 on the file of the respondent police.

ORDER : The Court made the following order :-

<https://www.mhc.tn.gov.in/judis> The petitioners / Accused, apprehending arrest at the hands of the respondent



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police for the alleged offence punishable under Sections 147, 294(b), 323, 506(ii) of IPC, in Crime No.170 of 2023 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that the defacto complainant is a trustee of CSI Home church, wherein a marriage hall is also attached. During a marriage function being conducted in the marriage hall, some relatives of the bride has performed bike stunt within the church campus, which was questioned by the defacto complainant. Therefore, the petitioner has assaulted the defacto complainant and criminally threatened him with dire consequences. Hence the complaint.

3. The learned counsel for the petitioners submitted that the petitioners are innocent and they have not committed any offence as alleged by the prosecution. They have been falsely implicated in this case. Therefore, seek for the relief of anticipatory bail.

4. The learned Additional Public Prosecutor would submit that the earlier bail petition was dismissed for the reason that the petitioners are having previous cases. It is also submitted that, compromise has been arrived at between the petitioners and the defacto complainant and a petition for quash on the basis of compromise, in CrI.O.P.(MD)No.11709 of 2023 is also pending before this Court.

5. Taking into consideration the facts and circumstances of the case and



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considering the fact that a petition for quash the FIR on the comprise arrived between the petitioners and the defacto complainant, which is also pending before this Court, this Court is inclined to grant anticipatory bail to the petitioners with certain 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, Eraniel, 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.

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/-
18/07/2023

/ TRUE COPY /

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



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PNN

TO

1 THE JUDICIAL MAGISTRATE,
ERANIEL.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
KANYAKUMARI DISTRICT AT NAGERCOIL.

3 THE INSPECTOR OF POLICE,
KARUNGAL POLICE STATION,
KANYAKUMARI DISTRICT.

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

+1. CC to M/S. BALASUBRAMANIAN.N Advocate SR.No.10903

ORDER

IN

CRL OP(MD) No.12988 of 2023

Date :18/07/2023

SA/MMS/SAR. /27.07.2023/4P/6C

Madurai Bench of Madras High Court is issuing
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