



WEB COPY



CRL OP(MD). No.13125 of 2023

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

Date : 26/07/2023

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN
CRL OP(MD). No.13125 of 2023

1.Indira

2.Chellamani

... Petitioners/3rd & 4th Accused

Vs

State, represented by
The Inspector of Police,
Uthamapalayam Police Station,
Theni District.
(Crime No.237 of 2023).

... Respondent/Complainant

For Petitioner : Mr.L.Prabakaran, Advocate.
For Respondent : Mr.R.Suresh Kumar
Government Advocate (Crl. Side)

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

PRAYER :-

For Anticipatory Bail in Crime No.237 of 2023 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/Accused Nos.3 and 4, apprehending arrest at the hands of the respondent Police for the alleged offence punishable under Sections 294(b), 447, 323, 324, 427 and 506(ii) of IPC, in Crime No.237 of 2023 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the defacto complainant is the owner of the

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



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land situated near Petchiamman Temple at U.Ammapatti. The defacto complainant visited his land to unload the construction materials on his land. At that time, the accused Nos.1 and 2 had entered quarrel with the defacto complainant and prevented him from unloading the materials. Thereafter, the petitioners joined with other accused, assaulted the defacto complainant and caused injury to him.

3. The learned counsel for the petitioner would submit that there is pending dispute between the parties on the ownership of the above said land, as the petitioners and their husbands had purchased the same from the original owners. The same was not accepted by the defacto complainant and he tried to harass the petitioners and other accused persons. Due to above said enmity, the defacto complainant and others assaulted the petitioners and their husband and caused injury to them.

4. The learned Government Advocate (Crl. Side) for the respondent Police submitted that it is the case and counter case in Crime No.238 of 2023 and injured in both cases have been discharged from the hospital.

5. It is the land dispute between two neighbours. Due to the above said dispute, the present occurrence said to have taken place and there was exchange of words between the parties. It is the case and counter case and injured in both cases have been discharged from the hospital.



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6. Considering the facts and circumstances of this case and considering that injured have been discharged from the hospital and it is the case and counter case, this Court is inclined to grant anticipatory bail to the petitioners.

7. Accordingly, this Criminal Original Petition is allowed and petitioners are ordered to be released on bail in the event of arrest or on their appearance, before the learned Judicial Magistrate, Uthamapalayam, on condition that the petitioner 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/-
26/07/2023

/ TRUE COPY /

/08/2023

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



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TO

1 THE JUDICIAL MAGISTRATE, UTHAMAPALAYAM.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, THENI DISTRICT.

3 THE INSPECTOR OF POLICE, UTHAMAPALAYAM POLICE STATION,
THENI DISTRICT.

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

+1 CC to M/s.E.SATHEESH, Advocate (SR-11381[I] dated 27/07/2023)

ORDER
IN

CRL OP(MD) No.13125 of 2023

Date :26/07/2023

RS/MMS/SAR-(02.08.2023) 4P 6C

Madurai Bench of Madras High Court is issuing
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