



CRL OP(MD). No.13129 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 07/08/2023

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

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1.Maragatham

2.Chelladurai

3.Kamala

4.Lakshmi

5.Nithish @ Nithis

... petitioners/ Accused Nos.1 to 5

Vs

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

... Respondent/ Complainant

For petitioners: Mr.B.Arun,
Advocate.

For Respondent : Mr.S.Manikandan,
Government Advocate (Crl.Side)



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WEB COPY 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 petitioners/Accused Nos.1 to 5, apprehending arrest at the hands of the respondent Police for the alleged offence punishable under Sections 147, 148, 441, 294(b), 323, 324, 379, 427, 506(ii) of I.P.C. r/w. Section 4 of Tamil Nadu Prohibition of Harassment of Women Act, 2002, 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's elder son namely Senthil married the first petitioner. Because of difference of opinion, they were separated for more than seven years. When the defacto complainant's son came to his house along with one girl namely Nathiya, which was questioned by the first petitioner, over which, the trouble arose between them, over which, they assaulted with each other. The defacto complainant also sustained injuries and the gold chain of the defacto complainant was found missing in the above said occurrence.



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3. The learned counsel for the petitioner would submit that the first petitioner filed D.V.C. No.32 of 2021 on the file of the Chief Judicial Magistrate Court, Erode, which is now pending. When the petitioners called the defacto complainant to settle the issue, the defacto complainant attacked the petitioners and also given a false complaint against the petitioner.

4. The learned Government Advocate (Crl. Side) would submit that injured has been discharged from the hospital.

5. Considering the facts and circumstances of this case and considering the fact that it is the issue between the family members and injured has 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 petitioners are ordered to be released on bail in the event of arrest or on his appearance, before the learned Judicial Magistrate, Vadipatti, on condition that the petitioners shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two common 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



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further orders. The respondent Police may record the statement of the petitioners with regard to whether because of illegal intimacy between the first petitioner's husband and the above said Nathiya, the trouble has arisen between the parties. Except that there is no missing of jewellery, since they have not committed any such previous offence of stealing. 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/-
07/08/2023

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/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, VADIPATTI,

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
MADURAI.



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3. THE INSPECTOR OF POLICE,
VADIPATTI POLICE STATION,
MADURAI DISTRICT.

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

+1 CC to M/s.B.ARUN, Advocate (SR-11966[I] dated 08/08/2023)

ORDER
IN
CRL OP(MD) No.13129 of 2023
Date :07/08/2023

RK/VRS (22/08/2023) 5P /6 C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17/07/2023