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

Date : 20/07/2023

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.13217 of 2023

1. A.Kathiravan

2. M.Naruvuli

... Petitioners/ Accused No.1 & 2

Vs

The State represented by
The Inspector of Police,
Samayapuram Police Station,
Trichy District.

In Crime No.229 of 2023..

... Respondent/ Complainant

For Petitioners : M/s.N.Ananda Kumar, 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.229 of 2023 on the file of the respondent
police

ORDER : The Court made the following order :-

The petitioners/ Accused, apprehending arrest at the hands of the

respondent police for the alleged offence punishable under Sections 294(b), 341, 323,



506(i) I.P.C r/w Section 4 of Tamil Nadu Prohibition of Woman Harassment Act, in
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Crime No.229 of 2023 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that due to matrimonial dispute, on 16.06.2023 at about 10.30a.m., while the defacto complainant/wife was proceeded to typewriting class, the first accused/husband had snatched her cellphone, cash of Rs.7,000/- and assaulted her with the helmet and the second accused also accompanied the first accused. Hence, the complaint.

3. The learned counsel for the petitioners submitted that the petitioners are innocent and not committed any offence as alleged by prosecution. Due to matrimonial dispute, a false case has been registered against them. The injured has been discharged from the hospital. Hence, prays to release them on anticipatory bail.

4.The learned Government Advocate (Crl.Side) submitted that due to matrimonial dispute, the first accused had abused and assaulted the defacto complainant. In this case, though the petitioners are not having any previous case at their credit and the injured has been discharged, the investigation is not yet completed. Hence, prays to dismiss the petition.

5.Considering the above facts and nature of dispute between the parties and the fact that the injured has been discharged from the hospital, this Court is inclined to grant anticipatory bail to the petitioners.



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6. Accordingly, this Criminal Original Petition is allowed on condition that the petitioners shall deposit a sum of Rs.7,000/- (Rupees Seven Thousand only) to the credit of Cr.No.229 of 2023 before the trial Court concerned and a VIVO Mobile Phone to the defacto complainant, without prejudice to their rights and contentions before the trial Court.

7. On such deposit being made, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, before the learned *Judicial Magistrate No.III, Trichy*, 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.

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/-
20/07/2023

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/07/2023

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



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TO

- 1 THE JUDICIAL MAGISTRATE NO.III
TRICHY.
- 2 DO-THROUGH :
THE CHIEF JUDICIAL MAGISTRATE, TRICHY DISTRICT.
- 3 THE INSPECTOR OF POLICE
SAMAYAPURAM POLICE STATION,
TRICHY DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

+1 CC to M/s.N.ANANDA KUMAR, Advocate (SR-11180[I] dated 24/07/2023)

ORDER

IN

CRL OP(MD) No.13217 of 2023

Date :20/07/2023

SS/MMS/27/07/2023/4P/6C

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