



CRL OP(MD). No.13317 of 2023

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 21/07/2023

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

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1. Maruthamuthu @ Maruthu

2. Malarmathi

... Petitioners/ Accused Rank no.2&5

Vs

The State rep.by,
The Inspector of Police,
Thiruvaiyaru Police Station,
Thanjavur District.
Crime No.19 of 2021..

... Respondent/ Complainant

For Petitioner : Mr.R.L.Dhilipan Pandian, Advocate

For Respondent : Mr.B.Nambiselvan,
Additional Public Prosecutor

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

PRAYER :-

For Anticipatory Bail in Crime No.19 of 2021 on the file of the Respondent Police.



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ORDER : The Court made the following order :-

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The petitioners/Accused, apprehending arrest at the hands of the respondent police for the alleged offence punishable under Sections 147, 148, 294(b), 452, 324, 506(i), 307 IPC, in Crime No.19 of 2021 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that due to previous enmity, on 07.01.2021 at about 07.00p.m., while the defacto complainant was standing in front of his house, the accused persons picked up quarrel with him, assaulted him with aruval. They also criminally intimidated him with dire consequences. Hence, the complaint.

3.The learned counsel for the petitioners submitted that the petitioners are innocent and a false case was foisted against them. On the day of occurrence, the defacto complainant only was talking ill of the petitioners' family members. The accused/ A1, A4 have already been enlarged on bail. Hence, prays to release them on anticipatory bail.



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4.The learned Additional Public Prosecutor submitted that in this case, though the co-accused have already been enlarged on bail, considering the nature of offence, prays to dismiss the petition.

5.Heard the learned counsel appearing on either side and perused the materials placed before this Court.

6.The crime was took place in the year 2021. Perusal of CD file reveal the fact that the investigation is almost over. Taking into consideration the facts and circumstances of the case and considering the fact that the co-accused have already been enlarged on bail and the stage of investigation, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

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 their appearance, before the learned Judicial Magistrate, Thiruvaiyaru, Thanjavur District, 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



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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. Further, the respondent is directed to file final report within a period of three months before the concerned Court, from the date of receipt of a copy of this order.

sd/-
21/07/2023

/ TRUE COPY /

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

pnm

TO

1.THE JUDICIAL MAGISTRATE, THIRUVAIYARU,
THANJAVUR DISTRICT,

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
THANJAVUR @ KUMBAKONAM.



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3. THE INSPECTOR OF POLICE,
THIRUVAIYARU POLICE STATION,
THANJAVUR DISTRICT.

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

ORDER
IN
CRL OP(MD) No.13317 of 2023
Date :21/07/2023

RK/MR (27/07/2023) 5P /5 C

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