



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

CRL OP(MD). No.13380 of 2023

1. Aassaithambi @ Asaimuthu

2. Karuppusamy

3. Banumathi

4. Padmavathy

... Petitioners/ Accused 1 to 4

Vs

The State represented by
The Inspector of Police,
Lalgudi Police Station,
Trichy District.
(Crime No.324 of 2023).

... Respondent/Complainant

For Petitioners : M/s..Leninkumar.T, Advocate

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

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

PRAYER :-

<https://www.mhc.trichy.in/> For Anticipatory Bail in Crime No.324 of 2023 on the file of the Respondent Police.



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 294(b), 324, 506(ii) IPC r/w Section 4 of TNPHW Act, in Crime No.324 of 2023 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that due to dispute between the neighbours, on 15.07.2023, the accused persons abused the defacto complainant, his wife and assaulted him with knife and also threatened them with dire consequences. Hence, the complaint.

3. The learned counsel for the petitioners submitted that it is a case in counter, based upon the complaint given by the petitioners, a counter case was registered in Crime No.325 of 2023 against the *defacto* complainant party and that the injured has been discharged from the hospital. Hence, prays to release them on anticipatory bail.

4. The learned Government Advocate (Crl.Side) appearing for the respondent would submit that based upon the complaint given by the petitioners, case in counter was registered in Cr.No.325 of 2023 against the defacto complainant party. Though in both the cases injured were discharged from the hospital and there is no previous cases pending against the petitioners, in this case investigation is not yet completed. Hence, prays to dismiss the petition.



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

6. Considering the nature of dispute between the parties, that in both the cases injured were discharged from the hospital, that the petitioners are not having any previous case at their credit and it is a case in counter, this Court is inclined to grant anticipatory bail to the petitioners.

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, Lalgudi*, 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,



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the petition for anticipatory bail stands dismissed.

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

pnm

TO

1 THE JUDICIAL MAGISTRATE
LALGUDI.

2 DO-THROUGH :
THE CHIEF JUDICIAL MAGISTRATE, TRICHY DISTRICT.

3 THE INSPECTOR OF POLICE
LALGUDI POLICE STATION,
TRICHY DISTRICT.

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

+1 CC to M/s.T.LENIN KUMAR, Advocate (SR-11127[I] dated 24/07/2023)

ORDER
IN

CRL OP(MD) No.13380 of 2023
Date :21/07/2023

SS/BUC/29/07/2023/4P/6C

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