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

Date : 25/07/2023

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.13514 of 2023

1. Mohaideen @ Mugaideen

2. Sabik Umar@safiq Omar

3. Dhanveer Raja @ Thanveer Raja

4. Thahirabanu

(*)5. Murshithabanu

... Petitioners/ Accused Nos.1 to 5

Vs

The State represented by
The Inspector of Police,
Paramakudi Town Police Station,
Ramanathapuram District.
In Crime No.219 of 2023..

... Respondent/ Complainant

For Petitioners : M/s.B.Arun, 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.219 of 2023 on the file of the respondent



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), 324, 506(ii) IPC r/w Section 4 of TNPHW Act, in Crime No.219 of 2023 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that due to property dispute, on 09.07.2023 the accused persons assaulted the defacto complainant, his daughters and abused them with filthy language and 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.220 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.220 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, investigation is not yet completed. Hence, prays to dismiss the petition.

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

6. Considering the land 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, Paramakudi, 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 further orders. The petitioners shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously.



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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/-
25/07/2023

(*)CORRECTED AS PER ORDER OF THIS
COURT DATED 08.08.2023 IN CRL OP
(MD)NO.13514 OF 2023

/ TRUE COPY /

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

pnm

TO

TO BE SUBSTITUTED WITH THE ORDER DATED 25/07/2023 ALREADY
DESPATCHED

1 THE JUDICIAL MAGISTRATE
PARAMAKUDI.

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

3 THE INSPECTOR OF POLICE
PARAMAKUDI TOWN POLICE STATION,
RAMANATHAPURAM DISTRICT.



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

+1 CC to M/s.B.ARUN, Advocate (SR-11213[I] dated 25/07/2023)

ORDER
IN
CRL OP(MD) No.13514 of 2023
Date :25/07/2023

SS/MR/29/07/2023/3P/6C

RK/BUC/SAR-4(16.08.2023) 5P/6C

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