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

Date : 26/07/2023

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.13618 of 2023

M.Parvathi

... Petitioner/ Accused No.2

Vs

The State, represented by
The Inspector of Police,
Cheranmahadevi Police Station,
Tirunelveli District.
(Crime No.168 of 2023).

... Respondent/ Complainant

For Petitioner : Mr.A.Jeyakumar
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.168 of 2023 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/ Accused No.2, apprehending arrest at the hands of the respondent Police for the alleged offence punishable under Sections 448, 294(b), 323, 506(i) of I.P.C., Section 4 of TN Prohibition of Harassment of Women Act, 2002, r/w.75 of the Juvenile (Care and Protection of Children) Act, 2015, in Crime No.168

of 2023 on the file of the respondent police, seeks anticipatory bail.



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2. The case of the prosecution is that on 30.06.2023, when the defacto complainant was in his home along with his wife and daughters, the first accused entered into his house by scolding him using obscene words, attacked his wife and the petitioner had instructed the first accused to kill the defacto complainant's wife and further they criminally intimidated the defacto complainant and his family.

3. The learned counsel for the petitioner would submit that it is love affair between the daughter of defacto complainant and the first accused. The minor daughter of the defacto complainant visited the first accused's house and refused to go back to home stating that she want to marry the first accused. Thereafter, the defacto complainant came to the petitioner's house and took her with him forcefully by beating her on road. However, contrary to the above said facts, the present complaint has been given.

4. The learned Additional Public Prosecutor appearing for the respondent Police submitted that co-accused has been released on bail in Cr.M.P. No.4109 of 2023, by the order dated 11.07.2023 by the learned Judicial Magistrate, Cheranmahadevi.



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5. Considering the facts and circumstance of this case and considering that the limited overt act attributed as against the petitioner, this Court is inclined to grant anticipatory bail to the petitioner.

6. Accordingly, this Criminal Original Petition is allowed and petitioner is ordered to be released on bail in the event of arrest or on his appearance, before the learned Judicial Magistrate, Cheranmahadevi, on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties each for a like sum to the satisfaction of the learned Magistrate concerned and the petitioner shall appear before the respondent police daily at 10.30 a.m. until further orders. The petitioner 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/-
26/07/2023

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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,
CHERANMAHADEVI.
 - 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
TIRUNELVELI DISTRICT.
 - 3 THE INSPECTOR OF POLICE
CHERANMAHADEVI POLICE STATION,
TIRUNELVELI DISTRICT.
 - 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.
- +1 CC to M/s.A.JEYAKUMAR, Advocate (SR-11388[I] dated 27/07/2023)

ORDER
IN
CRL OP(MD) No.13618 of 2023
Date :26/07/2023

SS/DD/07/08/2023/4P/6C

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