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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 31/07/2023

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.13961 of 2023

1.Nageswari

2.Malaipandi

... Petitioners / Accused Nos.1 and 2

Vs

The State represented by
The Inspector of Police,
Melavalavu Police Station,
Madurai District.
In Crime No. 139 of 2021.

... Respondent/Complainant

For Petitioners : M/s.S.Ramasamy

For Respondent : Mr.S.Manikandan
Government Additional Public Prosecutor

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

PRAYER :-

For Anticipatory Bail in Crime No.139 of 2021 on the file of the Respondent
Police.



ORDER : The Court made the following order :-

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The petitioner/ Accused Nos.1 and 2, apprehending arrest at the hands of the respondent police for the alleged offence punishable under Sections 341, 294(b), 323, 355, 109 and 506(i) of IPC, in Crime No. 139 of 2021, on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that due to previous dispute over a pathway, on 28.07.2021 at about 5.30 p.m., the petitioners assaulted the defacto complainant and her mother, abused with filthy words and criminally intimidated the defacto complainant and her mother. Hence the complaint.

3. The learned counsel for the petitioners submitted that the petitioners are innocent and they have been falsely implicated in this case and they have not committed any offence as alleged by the prosecution.

4. The learned Government Advocate (Crl.side) would submit that injured person has been discharged from the hospital and no previous case has been registered against the petitioners herein.

5. Considering the facts and circumstances of this case and also the fact that no previous case has been registered against the petitioner, this Court is inclined to grant anticipatory bail to the petitioner.

6. 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, Melur, 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 petitioners 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/-

31/07/2023

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/08/2023

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

pnn

To

1. The Judicial magistrate, Melur.
2. Do through the Chief Judicial Magistrate, Madurai.
3. The Inspector of Police, Melavalavu Police Station,
Madurai District.



4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

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+1 CC to M/s.S.RAMASAMY, Advocate (SR-11542[I] dated 31/07/2023)

ORDER
IN

CRL OP(MD) No.13961 of 2023

Date : 31.07.2023

AMS/MMS/10.08.2023/4P/6C

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