



CRL OP(MD). No.14004 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 01/08/2023

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

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1. Prabha @ Sahaya Jothi Prabha,
2. Selvan,
3. Ajay

... Petitioners/ Accused No.1 to 3

Vs

State Rep.by
The Inspector of Police,
Kanyakumari Police Station,
Kanyakumari,
Kanyakumari District.
(Crime No.176/2023)..

... Respondent/ Complainant

For Petitioners	:	Ka.Ramakrishnan, Advocate.
For Respondent	:	Mr.S.Manikandan, Government Advocate (Crl.Side)
For Intervenor	:	Mr.S.Sureshkumar, Advocate.

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

PRAYER :-

For Anticipatory Bail in Crime No.176/2023 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioners/ Accused No.1 to 3, apprehending arrest at the hands of the



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respondent police for the alleged offence punishable under Sections 294(b), 323, 506 (i), 379(NP) IPC, in Crime No.176 of 2023 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that the defacto complainant lodged a complaint before the respondent police stating that his mother died on 14.05.2023. After that he came to know that his mother had obtained loans from some finance company. But, while enquired with the finance company, he was informed that after the death of his mother, he need not repay the loan. But, the first accused along with other accused persons threatened the defacto complainant. On one day, they grabbed his cell phone from him, which is worth about Rs.25,000/-. Hence, the complaint.

3.Mr.S.Sureshkumar, learned counsel proposed to appear on behalf of the defacto complainant/intervenor and would submit that the mobile phone worth about Rs.25,000/- was missing during the above said scuffle between the parties.

4.Even as per the victim in the FIR, it is clearly shows that this petitioners taken the above mobile phone. The petitioners must deposit the cost of the above said mobile phone to the credit of crime number. With the above said condition, this Court is inclined to grant anticipatory bail to the petitioners.

5.Accordingly, the petitioners are directed to deposit a sum of Rs.20,000/- (Rupees Twenty Thousand only) to the credit of this crime number 176 of 2023



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before the trial Court.

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6. On deposit of the above said amount, 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 No.I, Nagercoil, Kanniyakumari 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 first petitioner shall appear before the respondent police daily at 10.30 a.m. until further orders. The petitioners 2 and 3 shall appear before the respondent police as and when required for interrogation. The petitioners 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/-
01/08/2023

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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

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1 THE JUDICIAL MAGISTRATE NO.I,
NAGERCOIL, KANNIYAKUMARI DISTRICT.

2 DO-THROUGH : THE CHIEF JUDICIAL MAGISTRATE,
KANYAKUMARI DISTRICT AT NAGERCOIL.

3 THE INSPECTOR OF POLICE
KANYAKUMARI POLICE STATION, KANYAKUMARI,
KANYAKUMARI DISTRICT.

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

+1 CC to M/s.KA.RAAMAKRISHNAN, Advocate (SR-11786[I] dated 03/08/2023)

ORDER
IN

CRL OP(MD) No.14004 of 2023

Date :01/08/2023

RS/BUC/SAR-(09.08.2023) 4P 6C

Madurai Bench of Madras High Court is issuing
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