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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

CRL OP(MD). No.14042 of 2023

1. S.Deivendran

2. P.Nallammal

... Petitioner

Vs

The State represented by
The Sub Inspector of Police,
Rajadhani Police Station,
Theni District.
Crime No.171 of 2023..

... Respondent/Complainant

For Petitioner : M/s.Rajan.G.,
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.171 of 2023 on the file of the respondent police.

ORDER : The Court made the following order :-



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The petitioners/Accused No.1 & 2, apprehending arrest at the hands of the respondent police for the alleged offence punishable under Sections 294(b), 506(ii) of IPC and Section 4 of Tamil Nadu Prohibition of Women Harassment Act in Crime No.171 of 2023, on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that due to previous land dispute, there was quarrel between the parties, due to which, the petitioners attacked the defacto complainant. Thereby, he sustained injury. 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. There is case in counter case.

4. The learned Government Advocate (Crl. Side) for the respondent police submitted that there is a land dispute between the parties. The injured in this case has been discharged from the hospital. There is a case in counter case has been registered.

5. Considering the nature of offence, the injured person has been discharged from the hospital and there is a case in counter case, this Court is inclined to grant anticipatory bail to the petitioners.



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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, Aundipatti, 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 and the second petitioner 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

- 1 THE JUDICIAL MAGISTRATE
AUNDIPATTI.
 - 2 DO-THROUGH :
THE CHIEF JUDICIAL MAGISTRATE, THENI DISTRICT.
 - 3 THE SUB INSPECTOR OF POLICE
RAJADHANI POLICE STATION,
THENI DISTRICT.
 - 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.
- +1 CC to M/s.G.RAJAN, Advocate (SR-11619[I] dated 01/08/2023)

ORDER
IN
CRL OP(MD) No.14042 of 2023
Date :01/08/2023

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

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