



CRL OP(MD)No.14123 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 10.10.2023

PRESENT

The Hon`ble MR JUSTICE V.SIVAGNANAM

CRL OP(MD)No.14123 of 2023

1.M.Alexander

2.Micheal Punithavalari Rajamani @ Valar

3.Chithiraikani

4.Rajaselvi @ Kuttyamma

... Petitioners/ Accused No. 1 to 4

Vs

The State rep. by
The Inspector of Police,
Murappanadu Police Station,
Thoothukudi District.
(Crime No.134 of 2023)

... Respondent/ Complainant

For Petitioners : Mr.Aayiram K.Selvakumar, Advocate

For Respondent : Mr.R.Suresh Kumar,
Government Advocate(Crl.side)

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



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PRAYER :-

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For Anticipatory Bail in Crime No.134 of 2023 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioners, who apprehend arrest at the hands of the respondent police for the offences punishable under Section 306 IPC in Crime No.134 of 2023, seek anticipatory bail.

2.The case of the prosecution is that there is a civil dispute between the defacto complainant and petitioners' family, due to the same, on 07.07.2023, at about 06.00 pm., the accused persons scolded the defacto complainant's wife in filthy language. Hence, the wife of the defacto complainant consumed poison and died. Hence the case.

3.The learned counsel appearing for the petitioners would submit that the petitioners are innocent persons and they have not committed any offence as alleged by the prosecution. Hence, he seeks anticipatory bail to the petitioners.

4.The learned Government Advocate(Crl.side) appearing for the respondent police would submit that due to civil dispute, the accused persons abused the

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deceased in filthy language and therefore, she committed suicide by consuming poison. Hence, he objected to grant anticipatory bail to the petitioners.

5.Considering the facts and circumstances of the case, this court is inclined to grant anticipatory bail to the petitioners with certain conditions:

6.Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date on which the order copy made ready, before the Judicial Magistrate Court No.I, Srivaikundam, Thoothukudi 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 respondent police or the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:

[a] the petitioners and the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank Pass Book to ensure their identity.



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[b] the petitioners shall report before the trial Court on summons.

[c] the petitioners shall not tamper with evidence or witness either during investigation or trial.

[d] the petitioners shall not abscond either during investigation or trial.

[e] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioners in accordance with law as if the conditions have been imposed and the petitioners released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560].

[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

sd/-
10/10/2023

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/10/2023
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

gns



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TO
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- 1.The Judicial Magistrate Court No.I,
Srivaikundam,
Thoothukudi District
2. Do through the Chief Judicial Magistrate,
Thoothukudi District.
- 3.The Inspector of Police,
Murappanadu Police Station,
Thoothukudi District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

ORDER
IN
CRL OP(MD) No.14123 of 2023
Date :10/10/2023

SSA/DD/19.10.2023/5P/5C

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