



CRL OP(MD). No.14209 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 03/08/2023

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.14209 of 2023

1. Johnson Rajamanickkam

2. Latha

3. Vinoth

... Petitioners / Accused No.1 to 3

Vs

The State represented by
The Inspector of Police,
Karimedu Police Station,
Madurai District.
Crime No.716 of 2023.

... Respondent / Complainant

For Petitioner : M/s.R.Maheswaran, 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.716 of 2023 on the file of the Respondent Police.

ORDER : The Court made the following order :-



CRL OP(MD). No.14209 of 2023

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The petitioners / Accused Nos.1 to 3, apprehending arrest at the hands of the respondent police for the alleged offence punishable under Sections 147, 294(b), 324 of IPC, in Crime No.716 of 2023, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution as per the defacto complainant's version is that her daughter studied BDS her name is Divya Meenakshi on 13.05.2023, she was informed by the police constable attached with Tallakulam All Women Police Station that she married one Gabriel Asirvatham. Because of the above said marriage, her husband become very dejective, swooned. He refused to take any treatment, because of the issue, they were under severe mental stress. Later, they came to know that the said Gabriel Asirvatham came to the house. All of them went to see Divaya Meenakshi at that time, the accused persons gathered there abused them, thrown chilli powder and caused assault through deadly weapons. They were taken to Thembavani Hospital and later referred to some other hospital and on the basis of the same, the present case came to be registered. Seeking anticipatory bail, this petition has been filed.

3. The learned counsel for the petitioners would submit that it is a case, case in counter. Because of the love affair between the said Divya Meenakshi and Gabriel Asirvatham, enmity exists between the two family members. The marriage was not



CRL OP(MD). No.14209 of 2023

liked by the petitioners. But actually, on the particular day, there was a quarrel between both the parties. They also sustained injuries. Over which a case in Crime No.715 of 2023 was registered.

4. The learned Government Advocate (Crl.side) would submit that over a love marriage, trouble has arisen between two families. A case and a counter case were also registered. Injured persons in both the cases were got discharged from the hospital.

5. Reading of both the complaints shows that on 17.07.2023, trouble arose between two family members over which there was assault and counter assault. In which both sides got injuries and admitted in the hospital and later discharged. Eventhough, it has been stated in the complainant that the defacto complainant was humiliated and insulted and dishonoured.

6. Considering the facts and circumstances of this case and also the fact that the injured has been discharged from the hospital, this Court is inclined to grant relief to the petitioners.

7. 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 No.V, Madurai, on condition that the petitioners shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand



CRL OP(MD). No.14209 of 2023

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only) with two sureties each for a like sum to the satisfaction of the learned Magistrate concerned and on further condition that the petitioners shall appear before the respondent police daily at 10.30 a.m., until further orders. The petitioners shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously.

8. 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/-
03/08/2023

/ TRUE COPY /

/08/2023
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

PNN

TO

- 1 THE JUDICIAL MAGISTRATE NO.V
MADURAI.
- 2 DO THROUGH:
THE CHIEF JUDICIAL MAGISTRATE,
MADURAI DISTRICT.
- 3 THE INSPECTOR OF POLICE
KARIMEDU POLICE STATION,
MADURAI CITY,



CRL OP(MD). No.14209 of 2023

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

ORDER
IN
CRL OP(MD) No.14209 of 2023
Date :03/08/2023

PKP/VR/SAR- /18.08.2023/ 5P/ 5C

Madurai Bench of Madras High Court is issuing certified
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