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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

( Criminal Jurisdiction )

Date : 04/08/2023

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.14305 of 2023

1. Arumugam

2. Naganathan

... Petitioners/ Accused No.1 & 2

Vs

The State represented by  
The Inspector of Police,  
Vellanur Police Station,  
Pudukkottai District.  
(Crime No.121 of 2023).

... Respondent/ Complainant

For Petitioner : M/s.P.Ganapathi Subramanian,  
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.121 of 2023 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioners/ Accused No.1 & 2 apprehending arrest at the hands of the

respondent police for the alleged offence punishable under Sections 294(b), 323,324



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and 506(ii) of IPC and Section 4 of Tamilnadu Prohibition of Harassment to Women Act, 2002, in Crime No.121 of 2023 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that due to previous enmity between the parties, the petitioners entered into altercation and attacked the defacto complainant's wife with hands, thereby, she sustained injuries. Hence, the complaint.

3. The learned counsel for the petitioners would submit that the petitioners are innocent persons. They have not indulged any such activities as alleged by the prosecution. There is a case in counter case. The counter case has been registered in Crime No.122 of 2023.

4. The learned Government Advocate (Crl. Side) would submit that there is a property dispute between the parties. The injured person in this case has been discharged from the hospital.

5. Considering the facts and circumstances of the case, it is a case in counter case and the injured person in this case has been discharged from the hospital, this Court is inclined to grant anticipatory bail to the petitioners with conditions.

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 No.II, Pudukottai, on condition that the petitioners shall



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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 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.

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/-  
04/08/2023

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

TM

TO

1 THE JUDICIAL MAGISTRATE NO.II  
PUDUKKOTTAI.

2 DO-THROUGH :  
THE CHIEF JUDICIAL MAGISTRATE, PUDUKOTTAI DISTRICT.

3 THE INSPECTOR OF POLICE  
VELLANUR POLICE STATION,  
PUDUKKOTTAI DISTRICT.



4

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

+1 CC to M/s.P.GANAPATHI SUBRAMANIAN, Advocate ( SR-11988[I] dated  
08/08/2023 )

ORDER  
IN  
CRL OP(MD) No.14305 of 2023  
Date :04/08/2023

SA/VRS/29/08/2023/4P/6C

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