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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 08/08/2023

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.14474 of 2023

1.Marimuthuraj @ Marimuthu

2.Indira

3.Tamilarasi @ Tamil

... Petitioners / Accused rank not known

Vs

The State represented by
The Inspector of Police,
S.S.Colony Police Station,
Madurai District.

Crime No.998 of 2023.

... Respondent / Complainant

For Petitioner : M/s.P.Senguttuarasan , 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.998 of 2023 on the file of the Respondent Police.

ORDER : The Court made the following order :-

<https://www.mhc.tn.gov.in/judicial> The petitioners/Accused, apprehending arrest at the hands of the respondent



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police for the alleged offence punishable under Sections 294(b), 323, 506(i) of IPC, and Section 4 of TNPHW Act in Crime No.998 of 2023, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the petitioners are the owners of the house, which was given to the defacto complainant on lease. Being so, the defacto complainant asked his lease amount back. For that, the petitioners asked three months time which was refused by the defacto complainant. Therefore, a wordy quarrel arose between them. The petitioners alleged to have abused the defacto complainant with filthy words and threatened him with dire consequences. Hence the complaint.

3. The learned counsel for the petitioners submitted that the petitioners are innocents, they have not committed any offence as alleged by the prosecution. They have been falsely implicated in this case. They seek for the relief of anticipatory bail.

4. The learned Additional Public Prosecutor would submit that trouble has arisen between the neighbours over a petty issue. Nobody sustained injury in this incident.



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5. Considering the facts and circumstances of this case and also the fact that it is a dispute between the neighbours, this Court is inclined to grant relief to the petitioners.

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 his 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 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. scrupulou

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/-
08/08/2023

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

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WTO COPY

- 1 THE JUDICIAL MAGISTRATE NO.V
MADURAI.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
MADURAI.
- 3 THE INSPECTOR OF POLICE
S.S.COLONY POLICE STATION, MADURAI DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

+1 CC to M/s.P.SENGUTTUARASAN, Advocate (SR-12010[I] dated 09/08/2023)

ORDER
IN

CRL OP(MD) No.14474 of 2023

Date :08/08/2023

SS/VR/22/08/2023/4P/6C

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