



WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 09/08/2023

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.14509 of 2023

Mohammed Hanifah

... Petitioner/ Accused rank not known

Vs

The State represented by
The Inspector of Police,
Sethubavachathiram Police Station,
Sethubavachathiram,
Thanjavur District.
Crime No.237 of 2023..

... Respondent/Complainant

For Petitioner : Mr.Vanjinathan 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.237 of 2023 on the file of the Respondent Police.

ORDER : The Court made the following order :-

<https://www.mhc.tn.gov.in/judges> The petitioner, who apprehend arrest at the hands of the respondent police for



the offences punishable under Sections 294(b), 323 and 506(ii) and Section 4 of Tamil Nadu Prohibition of Women Harassment Act, in Crime No.237 of 2023, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that due to money dispute, on 21.07.2023 at about 08.00 a.m, the petitioner along with the other accused abused the defacto complainant in filthy language and also attacked her with woodenlog and caused injuries to her. Hence, the complaint.

3. The learned counsel for the petitioner submits that the petitioner is an innocent and he has not committed any offence as alleged by the prosecution. He further submitted that due to money dispute, the present complaint has been given by the defacto complainant. He further submitted that for the very same occurrence, FIR in Crime No.236 of 2023 was registered against the defacto complainant and others.

4. The learned Government Advocate(Crl.Side) appearing for the respondent submits that no previous case is pending against the petitioner and also submitted that the injured has been discharged from the hospital. He further submitted that it is a case in counter case.

5. Considering the facts and the circumstances of this case and also of the fact that it is a case in counter and the injured has been discharged from the hospital, this



Court is inclined to grant anticipatory bail to the petitioner, however, with stringent conditions.

6. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or his appearance, before the learned District Munsif Cum Judicial Magistrate, Peravurani, and on his executing 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 the petitioner shall appear before the respondent police on every Saturday at 10.30 am until further orders. The petitioner shall comply with the conditions stipulated under Section 438 Cr.P.C. scrupulously.

7. The petitioner shall appear before the concerned Magistrate within a period of fifteen days from the date on which the order copy made ready, failing which, the petition for anticipatory bail stands dismissed.

sd/-
09/08/2023

/ TRUE COPY /

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

TTA

TO

1 THE DISTRICT MUNSIF CUM
JUDICIAL MAGISTRATE, PERAVURANI.



WEB COPY

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
THANJAVUR DISTRICT AT KUMBAKONAM.

3 THE INSPECTOR OF POLICE
SETHUBAVACHATHIRAM POLICE STATION,
SETHUBAVACHATHIRAM,
THANJAVUR DISTRICT.

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

+1 CC to M/s.N.BALASUBRAMANIAN, Advocate (SR-12204[I] dated 11/08/2023)

ORDER
IN

CRL OP(MD) No.14509 of 2023

Date :09/08/2023

SS/VRS/17/08/2023/4P/6C

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