



Crl.OP(MD)No.14825 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Dated: 26/09/2023

THE HON'BLE MR JUSTICE G.ILANGO VAN

Crl.OP(MD)No.14825 of 2023

Dhivya : Petitioner/ Accused No.12

Vs.

**The State rep. by
The Inspector of Police,
Chinnamanur Police Station,
Theni District.
(Crime No.343 of 2023)**

: Respondent/ Complainant

For Petitioner : Mr.S.Muniyandi, Advocate

**For Respondent : Mr.S.Manikandan
Government Advocate (Criminal side)**

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

PRAYER:-For Anticipatory Bail in Crime No.343 of 2023 on the file of the Respondent Police.

ORDER: The Court made the following order:-

The petitioner, who is arrayed as A12 apprehends arrest at the hands of the respondent police for the offences punishable under sections 147, 148, 294(b), 427,



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323, 506(ii) and 380 IPC, in Crime No.343 of 2023 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution in brief:-

The de-facto complainant lodged a complaint stating that she is the owner of a petty shop. She was also running a Chit. Her maternal Uncle namely one Palpandi was the President of their community. Over that, trouble has arisen between the accused persons and Palpandi. He is also ready to hand over the accounts. But the above said Suresh Kumar and others refused to participate in the event. On 03/08/2023 at about 11.00 pm, the accused persons along with their henchmen armed with deadly weapons, made criminal intimidation in front of Palpandi father's house. They caused damage to the house. Apart from that, they have also caused damage to the petty shop, stolen away Rs.2,00,000/-. They were also assaulted. When the neighbours gathered, all the accused persons ran away from that place. On the basis of the above said occurrence, a case in Crime No.343 of 2023 was registered for the offences stated above.

3.Seeking anticipatory bail, this petition has been filed by the petitioner, who is arrayed as A12 on the ground that she never participated in the above said alleged occurrence and a counter case was also registered in Crime No.342 of 2023 and only



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as wreck vengeance, the present complaint has been given.

4.Heard both sides.

5.The learned counsel appearing for the petitioner would rely upon the FIR in Crime No.342 of 2023.

6.Reading of the FIRs in both matters shows that it is a case and counter. It has been brought to the notice of this court that the 29th accused in Crime No.343 of 2023 suffered severe injuries and is taking treatment.

7.Reading of the counter case FIR in Crime No.342 of 2023 shows the gruesome manner by which the above said assault made by the counter parties. So far as this case is concerned, the injury suffered is simple in nature. Further, it is seen that it is an internal dispute between the members of a particular community. So, because of the above said issue, the present offence said to have been committed.

8.In view of the above facts and circumstances of the case, this court is inclined to grant anticipatory bail to the petitioner with certain conditions. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on her appearance



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before the learned Judicial Magistrate, Uthamapalayam, Theni District and on her 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 Judicial Magistrate concerned and on further condition that the petitioner shall appear before the respondent police daily at 10.30 am until further orders. The petitioner shall comply with the condition stipulated under [Section 438](#) Cr.P.C. scrupulously. The petitioner shall appear before the concerned Magistrate within a period of 15 days from the date on which the order is made ready, failing which, the petition for anticipatory bail will stand dismissed.

sd/-
26/09/2023

/ TRUE COPY /

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

ER
TO

- 1 THE JUDICIAL MAGISTRATE,
UTHAMAPALAYAM, THENI DISTRICT.
- 3 DO THROUGH:
THE CHIEF JUDICIAL MAGISTRATE,
THENI DISTRICT.



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3 THE INSPECTOR OF POLICE
CHINNAMANUR POLICE STATION,
THENI DISTRICT.

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

+1 CC to M/s.S.MUNIYANDI, Advocate (SR-14318[I] dated 27/09/2023)

ORDER
IN

CRL OP(MD) No.14825 of 2023

Date :26/09/2023

PKP/DD/SAR- /12.10.2023/ 5P/ 6C

Madurai Bench of Madras High Court is issuing certified
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