



CRL OP(MD). No.14897 of 2023

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 16/08/2023

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

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Palaniyappan @ Palaniappan

... Petitioner / Accused No.2

Vs

The State, rep by
The Inspector of Police,
Aranthangi Police Station,
Pudukkottai District.
(Crime No.409 of 2023).

... Respondent/Complainant

For Petitioner : Mr.C.Senthil Murugan, Advocate.

For Respondent : Mr.R.Suresh Kumar,
Government Advocate (Crl.Side)

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

PRAYER :-

For Anticipatory Bail in Crime No.409 of 2023 on the file of the Respondent Police.



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ORDER: The Court made the following order :-

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The petitioner/Accused No.2, apprehending arrest at the hands of the respondent police for the alleged offence punishable under Sections 147, 294(b), 342, 427, 448 and 506(ii) of I.P.C, in Crime No.409 of 2023 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the defacto complainant got married with the brother of this petitioner. Due to the dispute between the husband and wife, the defacto complainant has given a complaint before the respondent Police and the same was compromised between the parties. On 28.07.2023 at about 7.00 p.m., when the defacto complainant was in her house along with her mother and sister, her husband along with this petitioner came there, picked up quarrel, broke open the lock of the house, which was put up by the defacto complainant and put a new lock for the door by detaining the defacto complainant and others, she was criminally intimidated and assaulted by her husband and her family members were abused. On that ground, she informed the Police to broke open the lock and rescue them. After that, the respondent Police went to the place of occurrence and noted two vehicles were damaged by the accused worth about Rs.4,000/- On the basis of the above said, the case has been registered against three persons.

3. The learned counsel for the petitioner would submit that it is the issue



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between the husband and wife and this petitioner is no way connected with the alleged occurrence. Further, on the date of alleged occurrence, the defacto complainant came to this petitioner's house and entered into quarrel. The petitioner is ready to pay Rs.4,000/- towards the damage caused to the two wheeler.

4. The learned Government Advocate (Crl. Side) for the respondent Police submitted that the defacto complainant and this petitioner were living in the house of this petitioner.

5. Considering the fact that it is the issue between the close relatives, there is no injured and also considering that the petitioner is ready to deposit Rs.4,000/- for the damage caused to the two wheeler, this Court is inclined to grant anticipatory bail to the petitioner.

6. Accordingly, this Criminal Original Petition is allowed on condition that the petitioner shall deposit a sum of Rs.4,000/- (Rupees Four Thousand only) to the credit of Cr.No.409 of 2023 before the trial Court concerned, without prejudice to his rights and contentions before the trial Court.

7. On such deposit being made, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, before the learned Judicial Magistrate, Aranthangi, on condition that the petitioner 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



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satisfaction of the learned Magistrate concerned and the petitioner shall appear before the respondent police daily at 10.30 a.m. until further orders. The petitioner shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously.

8. The petitioner 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/-
16/08/2023

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

INDU

To

1.The Judicial Magistrate,
Aranthangi.

2.Do through the Chief Judicial Magistrate,
Pudukkottai District.

3.The Inspector of Police,
Aranthangi Police Station,
Pudukkottai District.

4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



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+1 CC to M/s.C.SENTHIL MURUGAN, Advocate (SR-12329[I] dated 16/08/2023)

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ORDER

IN

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Date :16/08/2023

ED/DD /SAR- (28/08/2023) 5P / 6 C

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