



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 21/09/2023

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.15215 of 2023

1. Senthilnathan

2. Subathira

3. Dharmaraj @ Periyasamy

... Petitioners/ Accused Nos.1 to 3

Vs

The State Rep.by

The Inspector of Police,

Natham Police Station,

Dindigul District.

Crime No. 407/2023.

... Respondent/Complainant

For Petitioner : Mr.K.G Arunkumar,
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. 407 of 2023 on the file of the respondent Police.

ORDER : The Court made the following order :-

The petitioners/Accused No.1 to 3, apprehending arrest at the hands of the respondent police for the alleged offence punishable under Sections 294(b), 447, 323,

<https://www.mhc.tn.gov.in/judis>



324, 379 & 506(ii) of IPC in Crime No.407 of 2023 on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution as per the defacto complainant is that on 14.09.2023 at about 09.00 p.m., after purchasing food for their family members, he was returning to his house. At that time, her younger daughter unknowingly thrown some stones on the accused's house. Over which, the accused picked up quarrel, abused the defacto complainant and family members in filthy language. He also trespassed into his house and caused assault with weapon. All the family members sustained injuries. At that time, the accused person snatched cell phone and two sovereigns of gold jewels from his wife. After making criminal intimidation, they left the place. Over which the FIR has been registered.

3.Seeking anticipatory bail, this petition has been filed. They were directed to appear before the respondent and co-operate to complete the process of investigation. They also appeared and stated that they did not snatch the above said cell phone and the jewel.

4.The learned Government Advocate (Crl. Side) would submit that pursuance of the direction given by this Court, all the accused persons as well as the defacto



complainant appeared before the respondent police. On enquiry, now proposal is made to delete section 379 of IPC.

5. In view of the above said submissions, 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, Natham, Dindigul District, on condition that the petitioners shall 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/-
21/09/2023

/ TRUE COPY /

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



1 THE JUDICIAL MAGISTRATE,
NATHAM, DINDIGUL DISTRICT.

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

3 THE INSPECTOR OF POLICE
NATHAM POLICE STATION,
DINDIGUL DISTRICT.

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

ORDER
IN
CRL OP(MD) No.15215 of 2023
Date :21/09/2023

TM

MK/06.10.2023 4P 5C

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