



CRL OP(MD). No.16192 of 2023

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 07/09/2023

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.16192 of 2023

1. Francis @ Mariyafrancis,
2. Silpan @ Silpan Antony,
3. Arputhasamy @ Martin Paul Arputhasamy, ... Petitioners/ Accused Nos. 1 to 3

Vs

State Rep.by
The Inspector of Police,
Kallakudi Police Station,
Trichy District.
Crime No.171 of 2023.

... Respondents/Complainants

For Petitioner : M/s.T.Leninkumar, 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.171 of 2023 on the file of the respondent police.



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ORDER : The Court made the following order :-

The petitioners/ Accused apprehends arrest at the hands of the respondent police for the offences under Sections 448, 294(b), 323 and 506(i) of IPC and Section 4 of Tamil Nadu Prohibition of Harassment of Women Act, 2002, in Crime No.171 of 2023, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that on 28.08.2023, when the defacto complainant along with her husband was in home, the petitioners who are the relatives abused the defacto complainant and her husband in filthy language. When her husband questioned the same, the petitioners attacked him and pushed the defacto complainant down from the upstairs and also threatened them with dire consequences. Hence the complaint.

3. The learned counsel for the petitioner submitted that the petitioners are innocents, they have been falsely implicated in this case and they have not committed any offence as alleged by the prosecution.

4. Learned Additional Public Prosecutor would submit that no previous case has been registered against the petitioners. Trouble has arisen between the neighbours over a petty issue. Injured in this case has been discharged from the hospital.



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5. Considering the facts and circumstances of this case and also the fact that no previous case has been registered against the petitioners, 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 their appearance, before the learned Judicial Magistrate, Ialagudi, on condition that the petitioner 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 of 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 is made ready, failing which, the petition for anticipatory bail will stand dismissed.

sd/-
07/09/2023

/ TRUE COPY /

/09/2023
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.



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PNN
TO

- 1 THE JUDICIAL MAGISTRATE,LALGUDI
 - 2 DO-THROUGH :
THE CHIEF JUDICIAL MAGISTRATE, TRICHY DISTRICT.
 - 3 THE INSPECTOR OF POLICE
KALLAKUDI POLICE STATION,TRICHY DISTRICT.
 - 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- +1 CC to M/s.T.LENIN KUMAR, Advocate (SR-13366[I] dated 08/09/2023)

ORDER
IN

CRL OP(MD) No.16192 of 2023
Date :07/09/2023

PKP/DD/SAR- /21.09.2023/ 4P/6C
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