



CRL OP(MD). No.16391 of 2023

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 14/09/2023

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.16391 of 2023

1. Saroja

2. Thamaresan

... Petitioners/ Accused 1 & 2

Vs

The State rep.by,
The Inspector of Police,
Kaliakkavilai Police Station,
Kanyakumari District,
Crime No.215/2023.

... Respondent/Complainant

For Petitioner : M/s.Vadivel.A,
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.215/2023 on the file of the respondent police



CRL OP(MD). No.16391 of 2023

WEB COPY

ORDER : The Court made the following order :-

The petitioners/Accused No.1 & 2, apprehending arrest at the hands of the respondent police for the alleged offences punishable under Sections 447, 294(b), 323, 324, 427, 506(ii) of IPC and Section 4 of TN Woman Harassment Act, in Crime No.215 of 2023 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that on 26.08.2023, at 12.00 noon, when the defacto complainant brought a surveyor to measure the property, there was quarrel between the parties, thereby, the petitioners abused and criminally intimidated the defacto complainant and his family members. Hence, the complaint.

3. The learned counsel for the petitioners submitted that the petitioners are innocent and they have been falsely implicated in this case.

4. Over the property issue, trouble has arisen between the two groups of people. According to the respondent police, over the above said issue measurement was undertaken. During the course of the above said measurement, quarrel occurred.



CRL OP(MD). No.16391 of 2023

WEB COPY

Both parties have sustained injuries. Over which, case and counter case have been registered. To whom the property belongs is under dispute. Over which investigation is under process.

5. Considering the nature of offence, the overt act attributed against the petitioners and the injured person has been discharged from the hospital, this Court is inclined to grant anticipatory bail to the petitioners on payment of cost.

6. Accordingly, this Criminal Original Petition is allowed on condition that the petitioners shall deposit a sum of Rs.10,000/- (Rupees Ten Thousand only) to the credit of Cr.No.215 of 2023 before the trial Court concerned, without prejudice to their rights and contentions before the trial Court.

7. On such deposit being made, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, before the learned Judicial Magistrate No.I, Kuzhithurai, 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



CRL OP(MD). No.16391 of 2023

petitioners shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously.

8. 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/-
14/09/2023

/ TRUE COPY /

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

tm

TO

1. The Judicial Magistrate No.I,
Kuzhithurai.
2. Do-Through The Chief Judicial Magistrate,
Kanyakumari District.
3. The Inspector of Police,
Kaliakkavilai Police Station,
Kanyakumari District,
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



CRL OP(MD). No.16391 of 2023

WEB COPY +1 CC to M/s.A.VADIVEL, Advocate (SR-13682[I] dated 14/09/2023)

ORDER
IN
CRL OP(MD) No.16391 of 2023
Date :14/09/2023

RK /JGB(25/09/2023) 5P / 6C

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