



CRL OP(MD). No.16435 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Date : 12/09/2023

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.16435 of 2023

1. Katturaja

2. Lakshmi

3. Petchiyammal

... Petitioners / Accused

Vs

The State through
The Inspector of Police,
M.Kallupati Police Station,
Madurai District.
(Crime No.91/2023).

... Respondent / Complainant

For Petitioners : M/s.Anbumanikandan K, 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.91/2023 on the file of the Respondent Police.



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ORDER: The Court made the following order :-

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The petitioners/Accused, apprehending arrest at the hands of the respondent police for the alleged offence punishable under Sections 341, 294(b), 324, 506(ii) of IPC and Section 4 of TNPHW Act, in Crime No.91 of 2023 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that on 16.06.2023 at about 11.00 a.m., while the defacto complainant was constructing house, the petitioners came there, abused the defacto complainant and assaulted her with dire consequences. 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. Because of the constructing a house by encroaching a common pathway a civil suit in O.S.No.90 of 2023 is pending before the District Munsif, Peraiyur.

4. The learned Government Advocate (Crl. Side) for the respondent police submitted that there is a civil dispute between the parties. Pending suit before the District Munsif, Peraiyur, the present occurrence said to have been taken place. A1 is having one previous case. He would further submit that investigation has been completed and final report has also been filed.

5. Considering the nature of offence, investigation has been completed in this



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case and there is a suit is already pending between the parties, this Court is inclined to grant anticipatory bail 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 No.II, Usilampatti, Madurai 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/-
12/09/2023

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

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1.The Judicial Magistrate No.II,
Usilampatti, Madurai District.

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

3.The Inspector of Police,
M.Kallupatti Police Station,
Madurai District.

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

ORDER

IN

CRL OP(MD) No.16435 of 2023

Date :12/09/2023

ED/ GB/SAR- (22/09/2023) 4P / 5C

Madurai Bench of Madras High Court is issuing certified copies in this format from
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