



CRL OP(MD). No.16808 of 2023

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

Date : 15/09/2023

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN
CRL OP(MD). No.16808 of 2023

1. Thavasumani

2. Sudha

... Petitioners/ Accused No.1&2

Vs

The State rep.by,
The Inspector of Police,
Nerkuppai Police Station,
Sivagangai District.
Crime No. 49 of 2023.

... Respondent/Complainant

For petitioners : M..Prabu, 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. 49 of 2023 on the file of the respondent Police.

ORDER : The Court made the following order :-

The petitioners/ Accused herein, apprehending arrest at the hands of the respondent police for the offences punishable under Sections 294(b), 323 of IPC and Section 4 of TNPHW Act in Crime No.49 of 2023, on the file of the respondent police, seeks anticipatory bail.



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2. The case of the prosecution is that on 05.08.2023, due to family dispute between the petitioners and the defacto complainant, trouble has arisen between the parties. The petitioners alleged to have abused the defacto complainant with filthy language, attacked him with hands and threatened him and his wife with dire consequences. Hence the complaint.

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

4.The learned Government Advocate (Crl. Side) would submit that the earlier application filed by the petitioners were dismissed on the ground that the injured was in hospital as inpatient. Now, the injured was discharged from the hospital.

5.Considering the nature of offence, the limited 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.



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6. Accordingly, this Criminal Original Petition is allowed and petitioners is ordered to be released on bail in the event of arrest or on their appearance, before the learned Judicial Magistrate, Singampunari, Sivagangai 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 as and when required for interrogation. 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/-
15/09/2023

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/09/2023

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

TM

TO

1. The Judicial Magistrate, Singampunari, Sivagangai District.

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



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2. Do-Through The Chief Judicial Magistrate,
Sivagangai District.

3. The Inspector of Police,
Nerkuppai Police Station,
Sivagangai District.

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

+1 CC to M/s.M.PRABU, Advocate (SR-13755[I] dated 15/09/2023)

ORDER
IN

CRL OP(MD) No.16808 of 2023

Date :15/09/2023

RK/GB (27/09/2023) 4P / 6C

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