



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.16992 of 2023

1.Sarangaraj
2.Vasanth

... Petitioners/ Accused Nos.1 and 2

Vs

State represented by
The Inspector of Police,
Kalayarkovil Police Station,
Sivagangai District,
Crime No.361/2023.

... Respondent/ Complainant

For Petitioners: M/s.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.361/2023 on the file of the respondent police.



ORDER : The Court made the following order :-

The petitioners/ Accused apprehend arrest at the hands of the respondent police for the offences under Sections 294(b), 323, 324 and 506(ii) of IPC r/w Section 4 of TNPWH Act in Crime No.361 of 2023, on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that on 12.09.2023, the petitioners alleged to have quarrelled with the defacto complainant due to family dispute. The first petitioner is the brother of the defacto complainant's husband and the second petitioner is the mother-in-law. In this incident, the petitioners have used filthy language, attacked the defacto complainant and criminally threatened her with dire consequences. Hence the complaint.

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



4. Learned Government Advocate (Crl.side) would submit that over a family dispute, a case and a counter case were filed. Injured in both the cases have been discharged from the hospital. The petitioner has also involved in Crime No.62 of 2020 on the file of the Kalaiyarkovil Police Station.

5. Eventhough it is stated that the petitioner is having one previous case, considering the facts and circumstances of this case and also the fact that a counter case has also been registered against the defacto complainant, 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 (*) Additional Mahila Court, Sivagangai, 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 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/-
21/09/2023

(*)AMENDED AS PER ORDER OF
THE COURT DATED 17/10/2023 IN
CRL MP(MD) No.14746 OF 2023 IN
CRL OP(MD) No.16992 OF 2023 BY
VSGJ

FURTHER TWO WEEKS TIME IS
GRANTED TO THE PETITIONER
TO COMPLY WITH THE
CONDITIONS IMPOSED BY THIS
COURT FROM THE DATE OF
RECEIPT OF A COPY OF THIS
ORDER AS LAST CHANCE.

/ TRUE COPY /

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

pnn
TO

TO BE SUBSTITUTED WITH THE ORDER DATED 21/09/2023 ALREADY
DESPATCHED.

1. Additional Mahila Court, Sivagangai.
2. The Judicial Magistrate No.I, Sivagangai.
3. Do through the chief Judicial Magistrate
Sivagangai.

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



4.The Inspector of Police,
Kalayarkovil Police Station,
Sivagangai District.

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

+1 CC to M/s.M.PRABU, Advocate (SR-14010[I] dated 22/09/2023)

+1 CC to M/s.M.PRABU, Advocate (SR-15484[I] dated 19/10/2023)

ORDER
IN
CRL OP(MD) No.16992 of 2023
Date :21/09/2023

SSA/MGA/05.10.2023/5P/6C
AAV
SSA/VRS/20.10.2023/5P/8C

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