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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 26/09/2023

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.16987 of 2023

1. Muthukathan,
2. Senbagaselvi,

... Petitioners/ Accused No.1 and 2

Vs

State rep. by
The Inspector of Police,
M.Chatrapatti Police Station
Madurai District.

... Respondent/Complainant

For Petitioner : M/s Dhanaraj.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. 110 of 2023 on the file of the respondent Police.

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 offence punishable under Sections 294(b), 342, 323,

324, 506(ii) of IPC and Section 4 of the Prohibition of Harassment of Women Act, 2002

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in Crime No.110 of 2023 on the file of the respondent police, seek anticipatory bail.

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2. The defacto complainant lodged a complaint stating that the accused are his neighbour and the second accused causing frequent trouble for eviction and making nuisance also. They also put up their shed blocking the way and the drinking water connection also. At about 07.00 a.m., on the date of occurrence, again the accused persons picked up quarrel, abused them, causing assault with hands. Over the above said complaint case has been registered in Crime No.110 of 2023.

3.Subsequent to that Crime NO.111 of 2023 has been registered and the first accused was arrested and remanded in to judicial custody. During the above said custody period, request was made by the respondent herein to issue PT warrant. Even though request was entertained, but no warrant was issued. In the meantime, he was released on bail. After coming out on bail, this present petition has been filed.

4.Considering the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioners with conditions.

5. 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

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learned Judicial Magistrate No.V, Madurai, 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.

6. 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/-
26/09/2023

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

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TO

1. The Judicial Magistrate No.V, Madurai.
2. Do-Through The Chief Judicial Magistrate,
Madurai District.
3. The Inspector of Police,
M.Chatrapatti Police Station
Madurai District.

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

+1 CC to M/s.K.DHANARAJ, Advocate (SR-14311[I] dated 27/09/2023)

ORDER
IN
CRL OP(MD) No.16987 of 2023
Date :26/09/2023

SSA/DD/09.10.2023/4P/6C

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