



WEB COPY

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

Date : 25.09.2023

PRESENT

The Hon'ble Mr.Justice G.ILANGO VAN
CRL OP(MD) No.17230 of 2023

1.Rajkumar

2.Balamuthu

3.Vignesh

... Petitioners/ Accused Nos.1 to 3

Vs.

State Rep. by
The Inspector of Police,
Pasupathipalayam Police Station,
Karur District.
(Crime No.333 of 2023).

... Respondent/Complainant

For petitioners : Mr.B.Santhanam Rajesh Kumar,
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 Crime No.333 of 2023 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioners/1 to 3 Accused, apprehending arrest at the hands of the respondent Police for the alleged offence punishable under Sections 294(b), 323, 506(i) IPC and Section 4 of Tamil Nadu Prohibition of Women Harassment Act, in Crime No.333 of 2023 on the file of the respondent police, seeks anticipatory bail.



2. The case of the prosecution is that the defacto complainant and the petitioners are neighbours. There is some civil dispute pending between the both families. On 20.08.2023 at about 10.00 p.m., the first petitioner abused the defacto complainant's grand son. When the same was questioned by the defacto complainant to the first petitioner, the petitioners abused her using filthy language and also threatened 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. Actually, the defacto complainant and her grand son abused and attacked the third petitioner. When the same was questioned by the first petitioner, the defacto complainant and others attacked the first and third petitioners with wooden stick, iron rod. Hence, they lodged a complaint in Crime No.332 of 2023 against the defacto complainant and her grand son. Further, the second and third petitioners are arrested and released on bail.

4. The learned Government Advocate (Crl. Side) for the respondent Police submitted that all the accused are having one previous cases at their credit.

5. Considering the facts and circumstances of this case and also considering that it is a case and counter case and the injured in both the cases have been discharged from the hospital, this Court is inclined to grant anticipatory bail to the first petitioner. So far the second and third petitioners are concerned, this Criminal



Original Petition is dismissed as infructuous, since the learned counsel for the petitioner submitted that the second and third petitioners are arrested and released on bail.

6. Accordingly, this Criminal Original Petition is partly allowed and the first petitioner is ordered to be released on bail in the event of arrest or on his appearance, before the learned Additional Mahila Court, Karur, on condition that the first petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties each for a like sum to the satisfaction of the learned Magistrate concerned and the first petitioner shall appear before the respondent Police daily at 10.30 a.m. until further orders. The first petitioner shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously.

7. The first petitioner 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/-
25/09/2023

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

Indu



To

1. The Additional Mahila Court, Karur.
2. The Inspector of Police,
Pasupathipalayam Police Station,
Karur District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

ORDER
IN
CRL OP(MD) No.17230 of 2023
Date :25/09/2023

SSA/DD/05.10.2023/4P/4C

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