



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

WEB COPY

Date : 25/09/2023

PRESENT

The Hon'ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.17174 of 2023

- 1.Ajath @ Haroon Rasith
- 2.Arsath @ Mohammed A1-Arsath
- 3.Bhapu @ Azad
- 4.Kalil @ Kalil Ahamed
- 5.Subbaiyar @ Syed Subaiyar
- 6.Koiyya Syed @ SS Syed Ibrahimsha
- 7.Mattuvandi Syed @ Syed Abuthahir
- 8.Abukalik @ Abukhalid

... Petitioners/ Accused Nos.2 to 9

Vs

The State, represented by
The Inspector of Police,
Ilaiyangudi Police Station,
Sivagangai District.
Crime No.301 of 2023.

... Respondent/ Complainant

For Petitioner : Mr.B.Prahalad Ravi,
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.301/2023 on the file of the Respondent police.

ORDER : The Court made the following order :-

The petitioners/ Accused Nos.2 to 9, apprehending arrest at the hands of the respondent police for the alleged offence punishable under Sections 147, 148, 294(b), 324, 506(ii) and 109 I.P.C., r/w. Section 4 of Tamil Nadu Prohibition of Harassment of Women Act, in Crime No.301 of 2023 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that already civil dispute exists between the petitioners and the defacto complainant. In this circumstances, on 12.09.2023 at about 10.30 p.m., the petitioners went to the defacto complainant's property, attacked the defacto complainant's son and also threatened him with dire consequences. On coming to know about the same, the defacto complainant and her husband went to the place of occurrence, at that time, they were also attacked by the petitioners. 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. Originally, there is a sale agreement entered between the defacto complainant and the eighth accused and the defacto complainant received Rs.8,00,000/- from the 8th accused towards the sale amount. Subsequently, the above said property was handed over to the possession of the 8th accused. But later, she dodged the registration of sale deed. Thereby, there is property dispute arose between them. Due to which, false complaint has been given against the petitioners.

4. The learned Government Advocate (Crl. Side) for the respondent police submitted that the injured has been discharged from the hospital and no previous case is pending against the petitioners.

5. Considering the nature of offence and also considering that the injured has been discharged from the hospital and no previous case is pending against the petitioners, 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, Ilaiyangudi, 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/-
25/09/2023

/ TRUE COPY /

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

TO

1 THE JUDICIAL MAGISTRATE,
ILAIYANGUDI,

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
SIVAGANGAI DISTRICT.

3 THE INSPECTOR OF POLICE
ILLAYANGUDI POLICE STATION,
SIVAGANGAI DISTRICT.



4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

WEB COPY

+1 CC to M/s.B.PRAHALAD RAVI, Advocate (SR-14159[I] dated 25/09/2023)

ORDER

IN

CRL OP(MD) No.17174 of 2023

Date :25/09/2023

Indu

MK/05.10.2023 5P 6C

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