



CRL OP(MD). No.17238 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 25/09/2023

PRESENT

The Hon'ble Mr.Justice G.ILANGO VAN

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1.Kodiarasu

2.Veeranan

... Petitioners/ Accused Nos.1 & 2

Vs

State, represented by
The Inspector of Police,
Cumbum South Police Station,
Theni District.
Crime No.304 of 2023.

... Respondent/ Complainant

For Petitioners : Mr.S.Vidhya Sagar, Advocate.

For Respondent : Mr.S.Manikandan, Government Advocate (Crl.Side)

PETITION FOR ANTICIPATORY BAIL Under Sec.438 of Cr.P.C

PRAYER :-

For Anticipatory Bail in Crime No.304 of 2023 on the file of the Respondent police.

ORDER : The Court made the following order :-

The petitioners/ Accused Nos.1 and 2, apprehending arrest at the hands of the respondent police for the alleged offence punishable under Sections 294(b), 323, 427, 506(ii) I.P.C., in Crime No.304 of 2023 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that the defacto complainant and the petitioners are relatives. The first accused is the brother of the defacto complainant's



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wife had arranged the marriage for the defacto complainant's daughter, for which, the defacto complainant have some jewels and money. On 04.09.2023 at about 2.45 p.m., all the accused came to the house of the defacto complainant and the first accused demanded the said jewels and money for arranging the marriage for daughter of defacto complainant. When he had refused the same, all the accused persons abused the defacto complainant using filthy language and attacked him and damaged the gate with sickle and also threatened him with dire consequences. Hence, the complaint.

3. The learned counsel for the petitioners submitted that the petitioners are innocent and they have not committed any such offences as alleged by the prosecution.

4. The learned Government Advocate (Crl.Side) would submit that there is no previous case pending against the petitioners.

5. Considering the facts and circumstances of this case and also considering the nature of offence 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 on condition that the petitioner shall deposit a sum of Rs.10,000/- (Rupees Ten Thousand only) to the credit of Cr.No.304 of 2023 before the trial Court concerned towards the damage



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caused by the petitioners to the gate of the defacto complainant. On such deposit being made, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, before the learned Judicial Magistrate, Uthamapalayam, 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

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/10/2023

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

Indu
TO

1 THE JUDICIAL MAGISTRATE, UTHAMAPALAYAM.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, THENI DISTRICT.

3 THE INSPECTOR OF POLICE, CUMBUM SOUTH POLICE STATION,
THENI DISTRICT.

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



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

+1 CC to M/s.S.VIDHYASAGAR, Advocate (SR-14222[I] dated 26/09/2023)

ORDER
IN
CRL OP(MD) No.17238 of 2023
Date :25/09/2023

RS/JGB/SAR-(12.10.2023) 4P 6C
Madurai Bench of Madras High Court is issuing
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