



WEB COPY

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.17245 of 2023

1.Karuppaiah
2.Rakkammal
3.Ambika

... Petitioners / Accused Nos.1 to 3

Vs

State represented by
The Inspector of Police,
Sivagangai Taluk Police Station,
Sivagangai District.
Crime No.256 of 2023.

... Respondent / Complainant

For Petitioners : M/s.R.Senthil 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 in Crime No.256 of 2023 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioners/Accused, apprehending arrest at the hands of the respondent



police for the alleged offence punishable under Sections 294(b), 323, 506(i) of IPC and 4 of Tamil Nadu Prevention of Woman Harassment Act in Crime No.256 of 2023, on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that the defacto complainant is constructing a house near the house of the first accused. Due to previous motive between them, on 08.09.2023, the accused persons picked up quarrel and abused the defacto complainant in filthy language, attacked him and criminally intimidated him. 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. They have not committed any offence as alleged by the prosecution.

4.The learned Government Advocate (Crl. Side) for the respondent police submitted that trouble has arisen between the neighbours over construction of house. A counter case in Crime No.257 of 2023 was also registered against the defacto complainant party.

5. 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 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 his appearance, before the



learned Judicial Magistrate No.1, Sivagangai, on condition that the petitioners shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two common 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/-
26/09/2023

/ TRUE COPY /

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

pnn
TO

- 1.The Judicial Magistrate No.1, Sivagangai.
2. Do through the Chief Judicial Magistrate,
Sivagangai District.
- 3.The Inspector of Police, Sivagangai Taluk Police Station,
Sivagangai District.



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

WEB COPY

+1. CC to M/S.SENTHIL KUMAR.R Advocate SR.No.44997(F)

ORDER
IN

CRL OP(MD) No.17245 of 2023

Date :26/09/2023

SSA/VRS/12.10.2023/4P/6C

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