



CRL OP(MD). No.20064 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 08/11/2023

PRESENT

The Hon'ble Mr.Justice G.ILANGO VAN

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1.Stella Thangam

2.Sanjeev PS Kumar

3.Vijaya @ Vinila Glady

... Petitioners/ Accused Rank Unknown

Vs.

State Rep.by

The Inspector of Police,

All Women Police Station,

Kuachchal,

Kanyakumari District.

Crime No.Not Known of 2023.

... Respondent/ Complainant

For Petitioners : Mr.G.Anto Prince, Advocate.

For Respondent : Mr.M.Aasha, Government Advocate (Crl.Side).

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

PRAYER :-

For Anticipatory Bail in Crime No.Not Known of 2023 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioners/ Accused rank not known, apprehending arrest at the hands of

the respondent Police for the alleged offence punishable under Sections 498(A), 294



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(b), 323 I.P.C., in Crime No.not known of 2023 on the file of the respondent Police, seek anticipatory bail.

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2.The case of the prosecution is that the first petitioner's son and the defacto complainant are husband and wife. On 02.05.2023, when the defacto complainant came to her matrimonial house, the petitioners restrained her, 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 are in-laws of the defacto complainant. Due to some difference of opinion, the first petitioner's son and the defacto complainant got seperated. There are two petitions pending regarding matrimonial issue, one in I.D.O.P. No.485 of 2023 seeking divorce filed by the defacto complainant and another one is I.D.O.P.No.496 of 2023 seeking restitution of conjugal rights, which is filed by the first petitioner's son. Pending the above said two cases, the defacto complainant given a false complaint against the petitioners.

4.The learned Government Advocate (Crl.Side) would submit that it is a matrimonial issue between the defacto complainant and her husband. The petitioners are the in-laws of the defacto complainant.

5.Considering the facts and circumstances of this case and also considering that limited overt act attributed against the petitioners, this Court is inclined to grant



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anticipatory bail to the petitioners.

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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 No.II, Kuzhithurai, Kanyakumari District, 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/-
08/11/2023

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/11/2023

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

Indu
TO

1 THE JUDICIAL MAGISTRATE NO.II,
KUZHITHURAI, KANYAKUMARI DISTRICT.



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2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
KANYAKUMARI DISTRICT AT NAGERCOIL.

3 THE INSPECTOR OF POLICE, ALL WOMEN POLICE STATION, KULACHAL,
KANYAKUMARI DISTRICT.

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

ORDER
IN

CRL OP(MD) No.20064 of 2023

Date :08/11/2023

RS/DD/SAR-(20.11.2023) 4P 5C

Madurai Bench of Madras High Court is issuing
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