



CRL OP(MD) No.2598 of 2024

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

Tuesday, the Twentieth day of February Two Thousand and Twenty Four

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.2598 of 2024

1 PREMRAJKUMAR

2 S.JANANI

3 MOHANKUMAR

4 MAHALATCHMI

5 PALANIYAMMAL

... PETITIONERS / ACCUSED NOS. 1 to 5
Vs

1 THE INSPECTOR OF POLICE
ARUPPUKOTTAI TOWN POLICE STATION,
VIRUDHUNAGAR DISTRICT.
CR.NO.24/2024

2 KANAGAJAYANTHI

... RESPONDENTS/ COMPLAINANT

For Petitioner : MR.RAMSUNDAR VIJAYRAJ, Advocate

For Respondent : MR.B.NAMBISELVAN,
Additional Public Prosecutor

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

PRAYER:

FOR ANTICIPATORY BAIL IN CRIME NO.24/2024 ON THE FILE OF THE
RESPONDENT POLICE.

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



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ORDER : The Court Made the following order :-

The petitioners, who apprehend arrest at the hands of the respondent Police for the alleged offence under Sections 294(b), 323, 427 IPC r/w. Section 4 of Women Harassment Act, in Crime No.24 of 2024, seek anticipatory bail.

2.The case of the prosecution is that due to some property dispute between the petitioners and the defacto complainant, on 12.02.2024, the petitioners went to the house of the defacto complainant, asked her to vacate the house and abused her using filthy language. Hence, the complaint.

3. The learned counsel appearing for the petitioners would submit that that the petitioners have not committed any offence as alleged by the prosecution and they have been falsely implicated in this case. Further, it is a property dispute between the family members and no one is sustained injury in this case. So, he prays for granting anticipatory bail to the petitioners.

4. The learned Additional Public Prosecutor would submit that there is no one injured in this case. Hence, he has no objection to grant anticipatory bail to the petitioners.

5. Considering the facts and circumstances of the case and also considering the fact that no one is sustained injury, I am inclined to grant anticipatory bail to the

petitioners.

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6. Accordingly, the petitioners are granted anticipatory bail and they are is ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate, Aruppukkotati, Virudhunagar 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 respondent police or the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further condition that:

(a)if the petitioners failed to surrender before the concerned Magistrate within a period of 15 days from the date of receipt of a copy of this order, this order shall stand automatically cancelled;

(b)the sureties shall affix their photographs and left thumb impression in the surety bond and the Court concerned may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

(c)the petitioner Nos.1 and 3 shall report before the respondent Police daily at 5.00 p.m., for a period of two weeks and thereafter, he shall report before the respondent Police as and when required and the petitioner Nos.2, 4 and 5 shall report before the respondent Police as and when required for interrogation;



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(d)the petitioners shall not tamper with evidence or witness either during investigation or trial;

(e)the petitioners shall not abscond either during investigation or trial;

(f)on breach of any of the aforesaid conditions, the learned Magistrate/ Trial Court is entitled to take appropriate action against the petitioners in accordance with law as if the conditions have been imposed and the petitioners released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in P.K.Shaji Vs. State of Kerala [(2005) AIR SCW 5560]; and;

(g)if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

sd/-
20/02/2024

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/02/2024

Sub-Assistant Registrar
(C.S.I /II /III /IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

INDU
TO

1 THE JUDICIAL MAGISTRATE,
ARUPPUKOTTAI, VIRUDHUNAGAR DISTRICT.

2 DO THROUGH:
THE CHIEF JUDICIAL MAGISTRATE,
VIRUDHUNAGAR DISTRICT @ SRIVILLIPUTHUR.

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3 THE INSPECTOR OF POLICE
ARUPPUKOTTAI TOWN POLICE STATION,
VIRUDHUNAGAR DISTRICT.

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

+1 CC to M/s.S.RAMSUNDARVIJAYRAJ, Advocate (SR-2099[I] dated 20/02/2024)

ORDER
IN
CRL OP(MD) No.2598 of 2024
Date :20/02/2024

PKP/VR/SAR /27.02.2024/ 5P/ 6C

Madurai Bench of Madras High Court is issuing certified
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