



CRL OP(MD) No.3913 of 2024

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

Tuesday, the Twelfth day of March Two Thousand and Twenty Four

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.3913 of 2024

1 RAJI

2 CHAKRAVARTHY

3 PALLAVAN

4 RAJESHWARAN

... Petitioners / Accused No.1 to 4

Vs

THE INSPECTOR OF POLICE
KARAIKUDI SOUTH POLICE STATION,
SIVAGANGAI DISTRICT
(IN CRIME NO 62 OF 2024)

... Respondent / Complainant

For Petitioner : M/s.R.Rajamohan, Advocate

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

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

PRAYER :

FOR ANTICIPATORY BAIL IN CRIME NO. 62 OF 2024 ON THE FILE
OF THE RESPONDENT POLICE.



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ORDER: The Court Made the following order :-

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The petitioners/A1 to A4, who apprehend arrest at the hands of the respondent police for the alleged offence under Sections 450, 364, 344, 323, 506(ii) and 380 of IPC in Cr.No.62 of 2024, seek anticipatory bail.

2.The case of the prosecution is that the petitioners took away the belongings of the defacto complainant. Thereby, the defacto complainant made a complaint against the petitioners before the respondent police. Hence, the case.

3.The learned counsel appearing for the petitioners submitted that the petitioners have not committed any offence as alleged by the prosecution and it is purely a family dispute between the defacto complainant/father and the first petitioner/daughter and after the death of the first petitioner's mother, the defacto complainant had developed intimacy with other girl and thereby, the dispute arose and the first petitioner made a complaint against the defacto complainant in C.S.R.No.780 of 2023 and the same is pending. Hence, he prays for grant of anticipatory bail to the petitioners.

4.The learned Government Advocate (Crl. side) submitted that there is a dispute between the father and daughter and the investigation is pending.

5.Considering the facts and circumstances of the case and also considering the fact that it appears to be a family dispute between the father and daughter, this



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Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

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6. Accordingly, this Criminal Original Petition is ordered and the petitioners are 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, Karaikudi, 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 petitioners shall report before the respondent police as and when required for interrogation;

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



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(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 abscond, a fresh FIR can be registered
under Section 229-A IPC.

sd/-
12/03/2024

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/03/2024
Sub-Assistant Registrar
(C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

SJI

To

1. The Judicial Magistrate,
Karaikudi.

2. Do through the Chief Judicial Magistrate,
Sivagangai District.



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3.The Inspector of Police,
Karaikudi South Police Station,
Sivagangai District.

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

+1 CC to M/s.R.RAJAMOHAN, Advocate (SR-3054[I] dated 12/03/2024)

ORDER
IN
CRL OP(MD) No.3913 of 2024
Date :12/03/2024

ED/ GS /SAR- (15/03/2024) 5P / 6C

Madurai Bench of Madras High Court is issuing certified copies in this format from
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