



CRL OP(MD)No.5238 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 04.04.2024

PRESENT

The Hon`ble Mr.Justice B.PUGALENDHI

CRL OP(MD)No.5238 of 2024

Balusamy

... Petitioner/ Accused

Vs

The Inspector of Police,
Jeeyapuram Police Station,
Trichy District.

... Respondent/Complainant

For Petitioner : Mr.M.Saravanan, Advocate
For Respondent : Mr.E.Antony Sahaya Prabahar,
Additional Public Prosecutor.

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

PRAYER :-

For Anticipatory Bail in Crime No.70 of 2024 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offence punishable under Sections 294(b), 323, 506(ii) IPC and Section 4 of the Tamil Nadu Prohibition of Women Harassment Act in Crime No.70 of 2024 on the file of the respondent police, seeks anticipatory bail.



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2.The case of the prosecution is that the accused had beat his own mother and the same was questioned by the defacto complainant, due to which, the accused abused the defacto complainant in filthy language and also assaulted her.

3.The learned counsel appearing for the petitioner submits that the petitioner has not indulged in such criminal activities. However, the respondent police has falsely implicated the petitioner in this case.

4.The learned Additional Public Prosecutor for the respondent submits that there was a dispute between the family members and investigation in this case is not yet completed.

5.Considering the fact that issue between the family members, this Court is inclined to grant anticipatory bail to the petitioner.

6.Accordingly, this criminal original petition is allowed and the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the Judicial Magistrate No.III, Trichy District on condition that the petitioner shall execute a bond for a sum of Rs.25,000/-(Rupees Twenty Five Thousand) with two sureties each for a like sum to the satisfaction of the learned Judicial Magistrate No.III, Trichy District and on further conditions that:

- i. The petitioner and the sureties shall submit a copy of their



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Aadhaar Card or any other identity card issued by the Government in proof of their residence address;

- ii. The petitioner shall appear before the respondent police daily at 10.30 am for a period of two weeks and thereafter, as and when required. He has to co-operate for the investigation.
- iii. The petitioner shall not misuse the liberty granted to him by indulging in any further offence and shall not tamper with the prosecution witnesses. The petitioner shall be available for the trial as well.
- iv. On violation of any of the above conditions by the petitioner, the respondent police shall move an application for cancellation of the anticipatory bail.

sd/-

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

gns

TO

1 THE JUDICIAL MAGISTRATE NO.III, TRICHY DISTRICT.



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2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, TRICHY DISTRICT.

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3 THE INSPECTOR OF POLICE, JEYAPURAM POLICE STATION,
TRICHY DISTRICT.

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

ORDER IN
CRL OP(MD) No.5238 of 2024
Date :04/04/2024

RS/JGB/SAR-(15.04.2024) 4P 5C
Madurai Bench of Madras High Court is issuing
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