



CRL OP(MD)No.5239 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.5239 of 2024

1.Rajkumar

2.Valli

... Petitioners/ Accused 1 & 2

Vs

The Inspector of Police,
Ayyampettai Police Station,
Thanjavur District.
(Crime No.170 of 2024)

... Respondent/Complainant

For Petitioners : Mr.K.M.KARUNAKARAN, 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.170/2024 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioners, who apprehend arrest at the hands of the respondent police for the alleged offence punishable under Sections 294(b), 448, 506(ii) IPC & Section 4 of the Tamilnadu Prohibition of Harassment of Women Act, 2002 in Crime No.170 of 2024, on the file of the respondent police, seek anticipatory bail.



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2.The case of the prosecution is that the parties are close relatives and there is a land dispute between them. Due to which, the petitioners trespassed into the the defacto complainant's house, attacked and abused her in filthy language.

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

4.The learned Additional Public Prosecutor submits that one previous case is pending against the petitioners, which was also initiated by the very same defacto complainant and there was a frequent quarrel between the parties.

5.Considering the nature of allegations levelled as against the petitioners, 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 their appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the Additional Mahila Court, Thanjavur on condition that the petitioners 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 Additional Mahila Court, Thanjavur and on further conditions that:

- i. The petitioners 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 petitioners 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 petitioners shall not misuse the liberty granted to them by indulging in any further offence and shall not tamper with the prosecution witnesses. The petitioners shall be available for the trial as well.
- iv. On violation of any of the above conditions by the petitioners, the respondent police shall move an application for cancellation of the anticipatory bail.

sd/-
04/04/2024

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/04/2024
Sub-Assistant Registrar
(C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

GNS
TO
1 THE ADDITIONAL MAHILA JUDGE,
THANJAVUR.



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2 THE INSPECTOR OF POLICE,
AYYAMPETTAI POLICE STATION,
THANJAVUR DISTRICT.

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

+1 CC to M/s.K.M.KARUNAKARAN, Advocate (SR-4154[I] dated 04/04/2024)

ORDER IN
CRL OP(MD) No.5239 of 2024
Date :04/04/2024

SA/JGB/SAR. /15.04.2024/4P/5C

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