



CRL OP(MD). No.5331 of 2024

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 05/04/2024

PRESENT

THE HON`BLE MR.JUSTICE B.PUGALENDHI

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1.Nanthakumar,
S/o.Dharmalingam,
No.1/231, Middle Street,
Punjaisengandhi,
Lalgudi Taluk,
Trichy District.

2.Revathi,
No.1/231, Middle Street,
Punjaisengandhi,
Lalgudi Taluk,
Trichy District.

3.Sivakumar,
No.1/231, Middle Street,
Punjaisengandhi,
Lalgudi Taluk,
Trichy District.

... Petitioners/ Accused No.1 to 3

Vs

The Inspector of Police,
Kanakiliyanallur Police Station,
Trichy District.
(Crime No. 31 of 2024)..

... Respondent/Complainant



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WEB COPY For Petitioner :Mr.S.B.Kayvin Prince,
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.31/2024 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), 323, 324 & 506(ii) of IPC and Section 4 of Tamil Nadu Prohibition of Harassment of Women Act,2002 in Crime No.31 of 2024, seek anticipatory bail.

2.The case of the prosecution is that the defacto complainant's husband and the first petitioner are brothers and there is a property dispute between the petitioner and the defacto complainant's family, due to which, the first petitioner attacked the defacto complainant with wooden stick.



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3.The learned counsel appearing for the petitioners submits that it is a case and counter case. Based on the complaint given by the first petitioner, a case in Crime No.32 of 2024 has been lodged as against the defacto complainant.

4.The learned Additional Public Prosecutor for the respondent admits that it is a case and counter case in Crime No.32 of 2024. The injured has been discharged from the Hospital. He further submits that pending this application, the third petitioner has been arrested.

5.Considering the nature of allegations and considering the fact that the injured has been discharged from the Hospital, this Court is inclined to grant anticipatory bail to the petitioners 1 & 2.

6.Accordingly, this criminal original petition is allowed insofar as the petitioners 1 & 2 are concerned. Since the third petitioner has been arrested, this Criminal Original Petition is dismissed insofar as the third petitioner is concerned. The petitioners 1 & 2 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



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this order, before the learned Judicial Magistrate, Lalgudi on condition that the petitioners 1 & 2 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, Lalgudi and on further conditions that:

- i. The petitioners 1 & 2 and the sureties shall submit a copy of their Aadhaar Card or any other identity card issued by the Government in proof of their residence address;
- ii. The petitioners 1 & 2 shall report before the respondent police daily until further orders.
- iii. The petitioners 1 & 2 shall not misuse the liberty granted to them by indulging in any further offence and shall not tamper with the prosecution witnesses. The petitioners 1 & 2 shall be available for the trial as well.

- iv. On violation of any of the above conditions by the



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petitioners 1 & 2, the respondent police shall move an application for cancellation of the anticipatory bail.

sd/-
05/04/2024

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/04/2024

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

vrn

TO

1.THE JUDICIAL MAGISTRATE, LALGUDI.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
TRICHY.

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

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

ORDER
IN

CRL OP(MD) No.5331 of 2024

Date :05/04/2024

RK/GS(10/04/2024) 5P / 5C

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