



CRL OP(MD)No.5335 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 12.04.2024

PRESENT

The Hon`ble Mr.Justice B.PUGALENDHI

CRL OP(MD)No.5335 of 2024

1.S.Rajkumar @ Joseph

2.J.Jeyarani

... Petitioners/ Accused No.Rank Not known

Vs

The Inspector of Police,
Thirumayam Police Station,
Pudukkottai District.

Crime No.Not Known of 2024

... Respondent/Complainant

For Petitioners : Mr.A.Xavier Antony Samy, 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.Not Known of 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



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for the alleged offence punishable under Sections 147, 294(b), 323 and 506(ii) IPC in Crime No. Not Known of 2024, on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that the petitioners herein sent false whatsapp message about the defacto complainant and when the same was questioned by him, the petitioners abused, attacked and also threatened him with dire consequences.

3. The learned counsel appearing for the petitioners submits that the petitioners did not commit any offence as alleged by the prosecution and they have been falsely implicated in this case.

4. The learned Additional Public Prosecutor appearing for the respondent submits that at the stage of enquiry, the petitioners filed the present petition and now, FIR in Cr.No.49 of 2024 has been registered for the offences punishable under Sections 341, 294(b), 323 and 506(2) IPC. Further, he submits that the first petitioner was arrested and the injured person has been discharged from the hospital.

5. Considering the fact that the first petitioner was arrested, this petition is dismissed as against him.



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6. Considering the fact that the injured person has been discharged from the hospital, this Court is inclined to grant anticipatory bail to the second petitioner.

7. Accordingly, this criminal original petition is partly-allowed and the 2nd petitioner is ordered to be released on bail in the event of arrest or on her appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate, Thirumayam, Pudukkottai 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, Thirumayam, Pudukkottai District and on further conditions that:

- i. The 2nd petitioner 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 2nd petitioner shall appear before the respondent police daily at 10.30 am for a period of one week and thereafter as and when required. She has to co-operate for the investigation.



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iii. The 2nd petitioner shall not misuse the liberty granted to him by indulging in any further offence and shall not tamper with the prosecution witnesses. The 2nd petitioner shall be available for the trial as well.

iv. On violation of any of the above conditions by the 2nd petitioner, the respondent police shall move an application for cancellation of the anticipatory bail.

sd/-
12/04/2024

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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 JUDICIAL MAGISTRATE,
THIRUMAYAM, PUDUKKOTTAI DISTRICT.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
PUDUKKOTTAI DISTRICT.
- 3 THE INSPECTOR OF POLICE
THIRUMAYAM POLICE STATION, PUDUKKOTTAI DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.



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+1 CC to M/s.A.VADIVEL, Advocate (SR-4392[I] dated 15/04/2024)

ORDER
IN
CRL OP(MD) No.5335 of 2024
Date :12/04/2024

SS/JGB/SAR- /23/04/2024/5P/6C

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