



CRL OP(MD). No.5711 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 11/06/2024

PRESENT

The Hon`ble Mr.Justice B.PUGALENDHI

CRL OP(MD). No.5711 of 2024

1. R.Rajesh,
2. R.Susila,

... Petitioners/ Accused Nos. 1 & 2

Vs

The State represented by
The Inspector of Police,
Alanganallur Police Station,
Madurai District.
(In Crime No.121 of 2024).

... Respondent/Complainant

For Petitioner : M/s.Balasubramanian.V, Advocate

For Respondent : Mr.P.Kottai Chamy,
Government Advocate (Crl.Side)

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

PRAYER :-

For Anticipatory Bail in Crime no.121 of 2024 on the file of the Respondent Police.



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ORDER : The Court made the following order :-

The petitioners, apprehending arrest at the hands of the respondent Police, in connection with a case in Crime No.121 of 2024, for the offence punishable under Sections 109, 294(b), 323 and 506(ii) IPC and Section 4 of Tamil Nadu Prohibition of Harassment of Women Act, 2002, have filed this petition seeking anticipatory bail.

2. The case of the prosecution is that due to matrimonial dispute, the accused have attacked the defacto complainant and caused injuries to her. Hence, the case.

3. The learned counsel appearing for the petitioners submits that the petitioners are innocent persons and they have not committed any offence as alleged by the prosecution. He further submits that earlier, this Court has referred this matter to the Mediation Centre attached to this Bench. The Petitioners have appeared before the Mediation Centre, but the defacto complainant did not appear for mediation. Hence, he prays for grant of anticipatory bail to the petitioners.

4. The learned Government Advocate (Crl.Side) appearing for the respondent

Police submits that no previous case is pending against the petitioners.

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5.The learned Counsel on either side submit that the defacto complainant has failed to appear before the Mediation Centre.

6. Considering the facts and circumstances of the case and also considering that the defacto complainant is not interested to utilise the opportunity, which has been provided to her, this Court is inclined to grant anticipatory bail to the petitioners.

7. Accordingly, this Criminal Original Petition is ordered and the petitioners are ordered to be released on bail in the event of their arrest or on their appearance within a period of fifteen days from the date of receipt of a copy of this order, before the concerned learned Judicial Magistrate on condition that

(i) the petitioners shall execute a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand) each, with two sureties each for a like sum to the satisfaction of the learned Judicial Magistrate, Vadipatti, Madurai District.

(ii) The petitioners 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;

(iii) The first petitioner shall appear before the respondent police daily at 10.30

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am until further orders and the second petitioner shall appear before the respondent police as and when required for interrogation. They have to co-operate for the investigation.

(iv) The petitioners shall not misuse the liberty granted to them by indulging in any further offence and shall not tamper with the prosecution witnesses.

(v) 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/-
11/06/2024

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/06/2024
Sub-Assistant Registrar
(C.S.I /II /III /IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

LR

TO

- 1 THE JUDICIAL MAGISTRATE,
VADIPATTI, MADURAI DISTRICT.
- 2 DO THROUGH:
THE CHIEF JUDICIAL MAGISTRATE,
MADURAI DISTRICT.



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3 THE INSPECTER OF POLICE
ALANGANALLUR POLICE STATION,
MADURAI DISTRICT.

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

+1 CC to M/s.V.BALASUBRAMANIAN, Advocate (SR-6428[I] dated 13/06/2024)

ORDER
IN
CRL OP(MD) No.5711 of 2024
Date :11/06/2024

PKP/ED/SAR /18.06.2024/ 5P/6C

Madurai Bench of Madras High Court is issuing certified
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