



CRL OP(MD). No.5741 of 2024

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 23/04/2024

PRESENT

The Hon`ble Mr.Justice B.PUGALENDHI

CRL OP(MD). No.5741 of 2024

1. Arunprakash

2. Anburaj

3. Suman

4. Kavitha, ... Petitioners/ Accused 1 to 4

Vs

The Inspector of Police,
Ayyampettai Police Station,
Thanjavur District.
Crime No.208 of 2024.

... Respondent/Complainant

For Petitioner : Mr.P.Kalaiyarasi Bharathi,
Advocate.

For Respondent : Mr.M.Sakthi kumar,
Government Advocate (Crl.Side)

For Intervenor : Mr.A.Arun Prasad, Advocate

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



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PRAYER:-

For Anticipatory Bail in Crime No.208 of 2024 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioners apprehending arrest at the hands of the respondent police in connection with Crime No.208 of 2024 for the offence under Sections 294(b), 323, 324 and 506(ii) of IPC r/w 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 there was a dispute between the parties with regard to fetching of water in their agricultural field, due to which, the petitioners abused the defacto complainant in filthy language, attacked him and his wife with deadly weapons and also threatened him with dire consequences.

3.The learned counsel 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. He further submits that the defacto complainant has 15 previous cases to his credit.



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4.The learned counsel for the intervenor submits that the defacto complainant sustained grievous injuries and also suffered fracture in his shoulder.

5.The learned Government Advocate (Crl. side) appearing for the respondent police has objected for grant of anticipatory bail on the ground that in respect of fetching water, the above said occurrence had taken place and the investigation is yet to be completed.

6.Considering the facts and circumstances of the case and also considering the nature of allegations, this Court is inclined to grant anticipatory bail to the petitioners.

7.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) each with two sureties each for a like sum to the satisfaction of the learned Magistrate concerned and on further conditions that:



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(i) 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;

(ii) The petitioners shall stay at Madurai and report before the Inspector of Police, Tallakulam Police Station, Madurai daily at 10.30 am for a period of two weeks and thereafter as and when required by the respondent police. They have 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.

(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/-
23/04/2024

/ TRUE COPY /

/05/2024
Sub-Assistant Registrar
(C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

SJI

TO

1 THE ADDITIONAL MAHILA JUDGE,
THANJAVUR.

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



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

COPY TO:
THE INSPECTOR OF POLICE,
TALLUKULAM POLICE STATION, MADURAI.

+1 CC to M/s.P.KALAIYARASI BHARATHI, Advocate (SR-4721[I] dated
23/04/2024)

ORDER
IN
CRL OP(MD) No.5741 of 2024
Date :23/04/2024

SS/VR/SAR- /03/05/2024/5P/6C

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