



CRL OP(MD). No.5870 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 18/04/2024

PRESENT

The Hon`ble Mr.Justice B.PUGALENDHI

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1. Prabavathi @ Priya

2. Alagiponnu

3. Pratheesh @ Prakatheesh,

4. Duraisamy, ... Petitioners/ Accused No.1 to 4

Vs

The Sub Inspector of Police,
Melavalvu Police Station,
Madurai District.
Crime No. 45/2024.

... Respondent/ Complainant

For Petitioner : M/s. Naresh Prabu.A,
Advocate.

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

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



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PRAYER :-
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For Anticipatory Bail in Crime No. 45 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.45 of 2024 for the offence under Sections 294(b), 323, 324 and 506(ii) of IPC and Section 4 of TNPHW Act, have filed this petition seeking anticipatory bail.

2.The petitioners and the defacto complainant are relatives. The defacto complainant has filed a suit for partition as against the fourth petitioner before the District Munsif Court in O.S.No.179 of 2022 and the same is pending. For having instituted the suit, the petitioners are said to have assaulted the defacto complainant.

3.The learned counsel for the petitioners submits that they have not assaulted the defacto complainant as alleged and they are also ready to settle the issue with the defacto complainant in the suit and also filed an undertaking affidavit before this Court that they will co-operate for early disposal of the civil suit instituted by the defacto complainant.



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4.The learned Additional Public Prosecutor appearing for the respondent police opposes for grant of anticipatory bail on the ground that the investigation is yet to be completed.

5.Considering the submissions made on either side and the nature of offence, 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 learned Judicial Magistrate, Melur, Madurai District, 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 Judicial Magistrate, Melur, Madurai District, and on further conditions that:

(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 appear before the respondent police daily at



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10.30 am for a period of two weeks and thereafter, as and when required for the interrogation. They have to co-operate for the investigation.

(iii) The petitioners have to co-operate for early disposal of the civil suit filed by the defacto complainant in O.S.No.179 of 2022. If any delay has been occurred in filing the written statement or cross examining the witnesses in the suit, the defacto complainant is entitled to move an application for cancellation of anticipatory bail.

(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/-
18/04/2024

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

SJI



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TO
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1. The Judicial Magistrate, Melur, Madurai District
2. Do-Through The Chief Judicial Magistrate,
Madurai District.
3. The Sub Inspector of Police,
Melavalvu Police Station,
Madurai District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

ORDER
IN
CRL OP(MD) No.5870 of 2024
Date :18/04/2024

RK/GS (24/04/2024) 5P / 5C

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