



CRL OP(MD). No.6372 of 2024

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 25/04/2024

PRESENT

The Hon`ble Mr.Justice B.PUGALENDHI

CRL OP(MD). No.6372 of 2024

1. S Darlin

2.T. Aravinth

... Petitioners/ Accused No.1 & 2

Vs

The Inspector of Police,
Karungal Police Station,
Kanyakumari District.
(Crime No. 90 of 2024).

... Respondent/Complainant

For Petitioners : M/s.Balasubramanian.N, Advocate

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

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

PRAYER :-

For Anticipatory Bail in Crime No. 90 of 2024 on the file of the respondent Police.



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ORDER : The Court made the following order :-

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The petitioners, apprehending arrest at the hands of the respondent Police, in connection with a case in Crime No.90 of 2024, for the offence punishable under Sections 341, 294(b), 323 and 506(i) IPC, have filed this petition seeking anticipatory bail.

2. The case of the prosecution is that on account of property dispute, on 11.04.2024 the accused persons damaged the compound wall of the defacto complainant. When the same was questioned by the defacto complainant, the accused persons have abused, assaulted the defacto complainant and also threatened him with dire consequences. Hence, the case.

3. The learned counsel appearing for the petitioners submitted that the petitioners are innocent persons and they have not committed any offence as alleged by the prosecution. The injured has been treated as out patient. Hence, he prays for grant of anticipatory bail to the petitioners.

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



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respondent Police submitted that in this case, investigation is yet to be completed.

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However, he fairly submitted that the injured has been treated as out patient.

5. Considering the facts and circumstances of the case and also considering the fact that the injured has been treated as out patient, this Court is inclined to grant anticipatory bail to the petitioners.

6. 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 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, Iraneyal, Kanyakumari 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 petitioners shall appear before the respondent police as and when required for interrogation. They have to co-operate for the investigation;



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(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/-
25/04/2024

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

PNM

TO

1. THE JUDICIAL MAGISTRATE, IRANEYAL, KANYAKUMARI DISTRICT.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
KANYAKUMARI @ NAGERCOIL.

3.THE INSPECTOR OF POLICE,
KARUNGAL POLICE STATION,
KANYAKUMARI DISTRICT.

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

+1 CC to M/s.N.BALASUBRAMANIAN, Advocate (SR-4929[I] dated 25/04/2024)



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ORDER
IN
CRL OP(MD) No.6372 of 2024
Date :25/04/2024

RK/GS (30/04/2024) 5P / 6C

Madurai Bench of Madras High Court is issuing certified copies in this format from
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