



CRL OP(MD). No.6533 of 2024

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 29/04/2024

PRESENT

The Hon`ble Mr.Justice B.PUGALENDHI

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1. Samuthiravel @ Samuthiram,
2. Vijayalakshmi @ Viji,
3. Mottaiyasami @ Panner,

... Petitioners/ Accused Nos. 1,4 & 5

Vs

The Inspector of Police,
Rajapalayam South Police Station,
Virudhunagar District.
(Crime No.166/2024).

. ... Respondent/Complainant

For Petitioners : Mr.D.Rajaboopathy, Advocate.

For Respondent : Mr.M.Sakthi Kumar,

Government Advocate (Crl.Side)

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

PRAYER :-

For Anticipatory Bail in Crime No.166/2024 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 the case in Crime No.166 of 2024 for the offence under Section 143,



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448, 294(b), 323, 324 and 506(ii) I.P.C. and Section 4 of Tamil Nadu Prohibition of Harassment of Women Act, have filed this petition, seeking anticipatory bail.

2. The case of the prosecution is that due to civil dispute, the petitioners abused the defacto complainant by using filthy language, attacked her and also threatened with dire consequences.

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.

4. The learned Government Advocate (Crl. Side) appearing for the respondent submits that the investigation is yet to be completed. However, he fairly submits that the petitioners are not having any previous case and the injured has been discharged from the hospital.

5. Considering the facts and circumstances of the case, nature of offence and considering the fact that the petitioners are not having any previous case and the injured was discharged from the hospital, 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



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concerned learned Judicial Magistrate, on condition that

(i) the petitioners 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 Judicial Magistrate, Rajapalayam, Virudhunagar 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 daily at 10.30 am for a period of two weeks and thereafter shall appear as and when required by the respondent police. He has to co-operate for the investigation.

(iv) The petitioners shall not misuse the liberty granted to him 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/-
29/04/2024

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



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LS
TO COPY

- 1 THE JUDICIAL MAGISTRATE,
RAJAPALAYAM, VIRUDHUNAGAR DISTRICT.
- 2 DO THROUGH:
THE CHIEF JUDICIAL MAGISTRATE
VIRUDHUNAGAR DISTRICT @ SRIVILLIPUTHUR.
- 3 THE INSPECTOR OF POLICE
RAJAPALAYAM SOUTH POLICE STATION,
VIRUDHUNAGAR DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.D.RAJABOOPATHY, Advocate (SR-5042[I] dated 29/04/2024)

ORDER
IN

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Date :29/04/2024

PKP/JGB/SAR /08.05.2024/ 4P/ 6C

Madurai Bench of Madras High Court is issuing certified
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