



CRL OP(MD)No.6886 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 16.05.2024

PRESENT

The Hon`ble Mr.Justice P.VADAMALAI

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- 1.Vellaisamy
- 2.Battanitichi @ Battanichi
- 3.Rajangam
- 4.Petchiyammal
- 5.Raja @ Mayakka @ Maha
- 6.Janaki
- 7.Ravichandran
- 8.Amutha
- 9.Manimala
- 10.Chinnamani

... Petitioners/ Accused No.1 to 10

Vs

The Inspector of Police,
Usilampatty Taluk Police Station,
Madurai District.
(Crime No.139 of 2024)

... Respondent/Complainant

For Petitioners : Mr.A.Vadivel, Advocate

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

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

PRAYER :-

For Anticipatory Bail in Crime No.139 of 2024 on the file of the Respondent police.

ORDER : The Court made the following order :-

The petitioners, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 147, 148, 452, 294(b), 323, 324, 355, 379(N.P),

109, 506(2) IPC and Section 4 of the Tamil Nadu Prohibition of Harassment of

<https://www.mhc.tn.gov.in/judis>



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Women's Act, 2002 in Crime No.139 of 2024 on the file of the respondent police, seek
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anticipatory bail.

2.The case of the prosecution is that there was a dispute between the parties with regard to the partition. Due to which, the accused persons trespassed into the house of the defacto complainant and abused him with filthy language. That apart, they attacked the defacto complainant and also threatened him with dire consequences. Hence, the complaint.

3.The learned counsel appearing for the petitioners would submit that the petitioners are innocent and they have not committed any offence as alleged by the prosecution. He would further submit that the petitioners and the defacto complainant are close relatives and due to family dispute, the defacto complainant lodged a false complaint.

4.The learned Government Advocate (Criminal Side) appearing for the respondent police would submit that four persons had injured in the alleged occurrence and all of them have already been discharged from the hospital.

5.Taking into consideration the facts and circumstances of the case and also the fact that the injured persons have already been discharged from the hospital, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

6.Accordingly, the petitioners are ordered to be released on bail in the event of



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arrest or on their appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the Judicial Magistrate Court No.I, Usilampatty, Madurai District on condition that the petitioners shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each with two sureties each for a like sum to the satisfaction of the learned Magistrate concerned and on further conditions that:

[a] the petitioners and the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate may obtain a copy of their Aadhaar card or bank pass book to ensure their identity.

[b] the petitioners shall report before the respondent police as and when required for interrogation.

[c] the petitioners shall not tamper with the evidence or witness either during investigation or trial.

[d] the petitioners shall not abscond either during investigation or trial.

[e] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioners in accordance with law as if the conditions have been imposed and the petitioners are released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560].



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[f]If the accused thereafter absconds, a fresh FIR can be registered under Section

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229-A IPC.

sd/-
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/05/2024

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

gns
TO

- 1 THE JUDICIAL MAGISTRATE NO.I, USILAMPATTY, MADURAI DISTRICT.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, MADURAI DISTRICT.
- 3 THE INSPECTOR OF POLICE, USILAMPATTY TALUK POLICE STATION,
MADURAI DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.A.VADIVEL, Advocate (SR-5540[I] dated 17/05/2024)

ORDER IN
CRL OP(MD) No.6886 of 2024
Date :16/05/2024

RS/VR/SAR-(23.05.2024) 4P 6C
Madurai Bench of Madras High Court is issuing
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