



CRL OP(MD). No.7897 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 29.05.2024

PRESENT

The Hon`ble Mrs.Justice L.VICTORIA GOWRI

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1.Vijayakumar

2.Eswari

... Petitioners/ Accused Nos.1 & 3

Vs

State represented by
The Sub-Inspector of Police,
Vanniyampatti Vilakku Police Station,
Virudhunagar District.
In Crime No.50 of 2024

... Respondent/ Complainant

For Petitioners : Mr.M.Jothi Basu,Advocate.

For Respondent : Ms.M.Aasha

Government Advocate (Crl. Side).

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

PRAYER :-

For Anticipatory Bail in Crime No.50 of 2024 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioners/ Accused Nos.1 and 3, who apprehend arrest at the hands of the

respondent police for the offences punishable under Sections 447, 294(b), 323, 427, 109

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



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and 506(ii) IPC, in Crime No.50 of 2024, on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that there was a family dispute pending between the petitioners and the defacto complainant, who is the mother-in-law of the 1st petitioner. The matter went to police station. On 13.04.2024, at 12.30 hours, the petitioners with the motive of visiting the 1st petitioner's child, went to the defacto complainant's house and caused damage to the house hold articles and two wheeler and threatened the defacto complainant to face 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.

4. The learned Government Advocate (Criminal Side) appearing for the respondent police would submit that a case is also registered against the defacto complainant and it is a case, case in counter. The learned Government Advocate (Crl. Side) further submits that the injured 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 have already been discharged from the hospital, this Court is

inclined to grant anticipatory bail to the petitioners with certain conditions.



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6. Accordingly, 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 Judge, Additional Mahila Court, Srivilliputhur, Virudhunagar 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 daily at 11.00 a.m., for a period of four (4) weeks and thereafter, 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
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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].

[f]If the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

sd/-
29/05/2024

/ TRUE COPY /

/06/2024
Sub-Assistant Registrar
(C.S.I /II /III /IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

ABR

TO

- 1 THE JUDGE
ADDITIONAL MAHILA COURT, SRIVILLIPUTHUR,
VIRUDHUNAGAR DISTRICT.
- 2 THE INSPECTOR OF POLICE
VANNIYAMPATTI VILAKKU POLICE STATION,
VIRUDHUNAGAR DISTRICT.
- 3 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.



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+1 CC to M/s.M.JOTHI BASU, Advocate (SR-5968[I] dated 29/05/2024)

ORDER
IN

CRL OP(MD) No.7897 of 2024

Date :29/05/2024

PKP/GS/SAR /03.06.2024/ 5P/ 5C

Madurai Bench of Madras High Court is issuing certified
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