



CRL OP(MD).No.8131 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 05.06.2024

PRESENT

The Hon`ble Mr.Justice B.PUGALENDHI

CRL OP(MD).No.8131 of 2024

1. V.Kamali
2. M.Karthika
3. S.Muthaiyan

... Petitioners/ Accused A1-3

Versus

The Inspector of Police,
Adirampattinam Police Station,
Thanjavur District.
Crime No.254/2023

... Respondent/Complainant

For Petitioners: Mr.A.Senthilkumar
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.254 of 2023 on the file of the Respondent Police.



CRL OP(MD).No.8131 of 2024

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.254 of 2023, for the offence under Sections 448, 294(b), 427, 506(ii) IPC, have filed this petition seeking anticipatory bail.

2. The defacto complainant is the husband of the first petitioner. Due to some misunderstanding, there was a dispute between them. Therefore, the defacto complainant/husband has filed a divorce petition and the first petitioner has filed a case against her husband under Domestic Violence Act. Thereafter, at the intervention of the elders, both were reunited. The case of the prosecution is that on 20.12.2023, the defacto complainant went to Chennai for his job. At that time, the petitioners came to the house of the defacto complainant, broke open the door of the house and lived there. When the same was questioned by him, they threatened him with dire consequences, by showing weapons.

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. He further submits that the defacto complainant, with an intention to cheat the 1st petitioner, approached her stating that he wants to live with her and



CRL OP(MD).No.8131 of 2024

believing his words, she withdrew the case filed against him and went to her matrimonial home. But, the defacto complainant has locked the house and driven her out from the matrimonial house. Therefore, she lodged a complaint before the respondent police and in the presence of the police officials, the house was opened. Thereafter, in order to harass the petitioners, the defacto complainant and his family members have lodged a complaint against them and the same was registered as Crime No.253 of 2023. Therefore, he prays for grant of anticipatory bail to the petitioners.

4. The learned Government Advocate (Crl. Side) opposes for grant of anticipatory bail on the ground that the investigation is yet to be completed.

5. Considering the nature of offence and also considering the fact that it is a case in counter, 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 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 on condition that



CRL OP(MD).No.8131 of 2024

WEB COPY

(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 learned Judicial Magistrate, Pattukkottai, Thanjavur.

(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 a.m. until further orders. They have to co-operate for the investigation.

(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/-
05/06/2024

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

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CRL OP(MD).No.8131 of 2024

TO
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1. THE JUDICIAL MAGISTRATE, PATTUKKOTTAI, THANJAVUR.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
THANJAVUR @ KUMBAKONAM.
3. THE INSPECTOR OF POLICE,
ADIRAMPATTINAM POLICE STATION,
THANJAVUR DISTRICT.
4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER
IN
CRL OP(MD) No.8131 of 2024
Date :05/06/2024

RK/VR (11/06/2024) 5P / 5C

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