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CRL OP(MD). No.8199 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 06/06/2024

PRESENT

THE HON'BLE MR.JUSTICE B.PUGALENDHI

CRL OP(MD). No.8199 of 2024

1.Prabakaran,

2.Thilagavathi,

... Petitioners/ Accused 1 & 4

Vs

The State rep by,
The Inspector of Police,
Thenkarai Police Station,
Theni District,
Crime No.240/2024.

... Respondent/ Complainant

For Petitioners :Mr.S.SIVAPRAKASH,
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.240/2024 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 alleged offence punishable under Sections 147, 148, 294(b), 324, 307, 506

(ii) of IPC in Crime No.240 of 2024, on the file of the respondent police, seek

anticipatory bail.

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



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2.The case of the prosecution is that A1 borrowed money from the defacto complainant and when the defacto complainant asked to return the amount, the accused persons have attacked the defacto complainant and his family members. Hence, the complaint.

3.The learned counsel appearing for the petitioners submits that the the petitioners and the defacto complainant are relatives. Due to some wordy quarrel, this case has been foisted as against the petitioners.

4.The learned Additional Public Prosecutor appearing for the respondent submits that there is a case and counter case. No previous case is pending as against the petitioners.

5.Considering the facts and circumstances of the case, considering the fact that the parties are relatives and also considering that no previous case is pending as against the petitioners, 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 Judicial Magistrate Court, Periyakulam on condition that the petitioners shall execute a bond for a sum of Rs.25,000/- (Rupees Twenty Five



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Thousand) with two sureties each for a like sum to the satisfaction of the learned

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Judicial Magistrate, Periyakulam and on further conditions that:

- i. 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;
- ii. The petitioners shall appear before the respondent police as and when required by the respondent police. They have to co-operate for the investigation.
- iii. The petitioners shall not misuse the liberty granted to them by indulging in any further offence and shall not tamper with the prosecution witnesses. The petitioners shall be available for the trial as well.
- iv. 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/-
06/06/2024

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



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VRN

TO

1 THE JUDICIAL MAGISTRATE,
PERIYAKULAM.

2 DO THROUGH THE CHIEF JUDICIAL
MAGISTRATE, THENI DISTRICT.

3 THE INSPECTOR OF POLICE,
THENKARAI POLICE STATION, THENI DISTRICT,

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

+1 CC to M/s.S.SIVAPRAKASH, Advocate (SR-6154[I] dated 06/06/2024)

ORDER IN
CRL OP(MD) No.8199 of 2024
Date :06/06/2024

SA/VR/SAR. /18.06.2024/4P/6C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17/07/2023.