



CRL OP(MD). No.8776 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 14/06/2024

PRESENT

The Hon`ble Mr.Justice B.PUGALENDHI

CRL OP(MD). No.8776 of 2024

Vinithraj,

... Petitioner/ Accused No.1

Vs

The State represented by
The Inspector of Police,
Thattarmadam Police Station,
Thoothukudi District
Cr.No.54 of 2024.

... Respondent/Respondent

For Petitioner : M/s.K.Vijayan,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.54 of 2024 on the file of the respondent police

ORDER : The Court made the following order :-



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The petitioner, apprehending arrest at the hands of the respondent Police, in connection with a case in Crime No.54 of 2024, for the offence punishable under Sections 341, 294(b), 450, 307 and 506(ii) IPC and Section 4 of Tamil Nadu Prohibition of Harassment of Women Act has filed this petition seeking anticipatory bail.

2. The case of the prosecution is that due to family dispute, on 21.04.2024, the petitioner along with the other accused, abused the defacto complainant and one Suganya using filthy language, assaulted them using aruval, caused injuries and threatened them with dire consequences. Hence, the case.

3. The learned counsel appearing for the petitioner submits that the petitioner is the paternal uncle of the second victim/Suganya. The second victim's father died, who is the brother of the petitioner. Thereafter, the petitioner is taking care of her. The second victim's husband had deserted her. Now, she is in illegal relationship with the defacto complainant/Sudalai, who is thirteen years younger than her. Therefore, the second accused/Barath has warned the said Suganya not to have any relationship with the defacto complainant herein. Even thereafter, she continued the relationship with him. On 28.02.2024, the second accused/Barath quarrelled with



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the defacto complainant herein and Suganya. Therefore, the said Sudalai assaulted the second accused/Barath, for which, an FIR in Crime No.32 of 2024 was registered as against the said Sudalai, for the offences under Section 294(b), 324, 506(2) IPC. Due to the same this case has been foisted against the petitioner herein. Hence, he prays for grant of anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl.Side) appearing for the respondent Police submits that the accused went with Aruval and assaulted the second victim and caused grievous injuries. The injured was discharged from the hospital. He further submits that the second accused had already surrendered before the trial Court and he was also released on bail.

5. Considering the facts and circumstances of the case and also considering the fact that the injured has been discharged from the hospital, this Court is inclined to grant anticipatory bail to the petitioner.

6. Accordingly, this Criminal Original Petition is ordered and the petitioner is ordered to be released on bail in the event of his arrest or on his 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 petitioner shall execute a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand), with two sureties each for a like sum to the satisfaction of the learned Judicial Magistrate, Sathankulam, Thoothukudi District.

(ii) The petitioner 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 petitioner shall appear before the respondent police daily at 10.30 am until further orders for interrogation. He has to co-operate for the investigation.

(iv) The petitioner 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 petitioner, the respondent police shall move an application for cancellation of the anticipatory bail.

sd/-
14/06/2024

/ TRUE COPY /

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

LR



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TO
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- 1 THE JUDICIAL MAGISTRATE
SATHANKULAM, THOOTHUKUDI DISTRICT.
- 2 DO-THROUGH :
THE CHIEF JUDICIAL MAGISTRATE,
TUTICORIN DISTRICT.
- 3 THE INSPECTOR OF POLICE
THATTARMADAM POLICE STATION,
THOOTHUKUDI DISTRICT
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN

CRL OP(MD) No.8776 of 2024

Date :14/06/2024

PKP/GS/SAR /21.06.2024/ 5P/5C

Madurai Bench of Madras High Court is issuing certified
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