



CRL OP(MD). No.9125 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 28/06/2024

PRESENT

The Hon`ble Mr.Justice **B.PUGALENDHI**

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1. Kaliyamoorthi
2. Mohamedsiddiq
3. Malarkodi
4. Vasantha

... Petitioners/ Accused No.1 to 4

Vs

The Inspector of Police,
Ammapettai Police Station,
Thanjavur,
Crime No. 587 of 2024.

... Respondent/Complainant

For Petitioner : M/s Arun Prasad.A, Advocate

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

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

PRAYER :-

For Anticipatory Bail in Crime No. 587 of 2024 on the file of the respondent police.



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ORDER : The Court made the following order :-

The petitioners, apprehending arrest at the hands of the respondent Police, in connection with a case in Crime No.587 of 2024, for the offence punishable under Sections 294(b), 324 and 506(ii) IPC and Section 4 of Tamil Nadu Prohibition of Harassment of Women Act, 2002, have filed this petition seeking anticipatory bail.

2. The case of the prosecution is that due to previous enmity, the accused have abused the defacto complainant using filthy language, attacked her with hands and caused head injury to her. Hence, the case.

3. The learned counsel appearing for the petitioners submits that it is a case and counter. In this incident, the petitioners have also suffered injuries, for which they have lodged a complaint as against the defacto complainant. However, in that counter complaint, the defacto complainant herein, has been granted anticipatory bail. He further submits that he has also advised the petitioners to pay a sum of Rs.15.000/- to the credit of Crime No.587 of 2024, pending on the file of the respondent police. Hence, he prays for grant of anticipatory bail to the petitioners.



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4. The learned Government Advocate (Crl.Side) appearing for the respondent Police raised serious objections to grant anticipatory bail to the petitioners stating that seven stitches were put on the head of the injured and now, the injured has been discharged from the hospital.

5. Considering the facts and circumstances of the case and also considering the submission made by the learned Counsel for the petitioners that the petitioners are ready to deposit a sum of Rs.15.000/- to the credit of Crime No.587 of 2024, pending on the file of the respondent police fact that the injured has been discharged from the hospital, 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 their arrest or on their appearance within a period of fifteen days from the date of receipt of a copy of this order, before the concerned learned Judicial Magistrate on condition that

(i) the petitioners shall 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 No.III, 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;



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(iii) The petitioners shall appear before the respondent police once in a week at 10.30 am until further orders for interrogation. 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.

(vi) the petitioners shall deposit a sum of Rs.15,000/- to the credit of Crime No.587 of 2024, pending on the file of the respondent police

7.The respondent police is directed to intimate the injured to file necessary application and withdraw the said amount. In the event the victim is not withdrawing the said amount, the same shall be decided by the trial Court concerned in conclusion of trial either under Section 357 or Section 452 Cr.P.C.

sd/-
28/06/2024

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/07/2024
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 NO.III
THANJAVUR.

2 DO-THROUGH :
THE CHIEF JUDICIAL MAGISTRATE,
THANJAVUR DISTRICT AT KUMBAKONAM.

3 THE INSPECTOR OF POLICE
AMMAPETTAI POLICE STATION, THANJAVUR

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

+1 CC to M/s.A.ARUNPRASAD, Advocate (SR-7123[I] dated 28/06/2024)

ORDER
IN

CRL OP(MD) No.9125 of 2024

Date :28/06/2024

SS/JGB/SAR- /05/07/2024/5P/6C

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