



CRL OP(MD). No.9211 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 24/06/2024

PRESENT

The Hon`ble Mr.Justice B.PUGALENDHI

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1. Christal,

2. Peter,

3. Bruzlin Zenith,

... Petitioners/ Accused 1 to 3

Vs

The Inspector of Police,
Clochel Police Station ,
Kanyakumari District.
Crime No.05/2024.

... Respondent/ Complainant

For Petitioners : M/s.Kanagarajan.S,
Advocate.

For Respondent : Mr.M.Sakthikumar,
Government Advocate (Crl.Side)

PRAYER :- For Anticipatory Bail in Crime No.05/2024 on the file of the respondent Police.

ORDER : The Court made the following order :-

The petitioners, apprehending arrest at the hands of the respondent police in connection with the case in Crime No.5 of 2024 for the offence under Sections 147,



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448, 294(b) and 323 I.P.C. and Section 4 of Tamil Nadu Prohibition of Harassment of Women Act, have filed this petition, seeking anticipatory bail.

2. The case of the prosecution is that the petitioners unlawfully assembled together and abused the defacto complainant and also assaulted him and his mother.

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 already the petitioners were granted anticipatory bail in Crl.M.P.No.317 of 2024 by the Principal Sessions Court, Nagercoil, Kanyakumari District, on 22.01.2024 with certain conditions and the petitioners have not complied with the condition and the anticipatory bail was cancelled. Hence, the Petitioners filed this petition.

4. The learned Government Advocate (Crl. Side) appearing for the respondent submits that there was money dispute between the parties, on account of that, case and counter case have been registered. Earlier the petitioners were granted anticipatory bail by the Principal Sessions Judge, with certain conditions and the same were not complied with by the petitioners. Therefore, on the application filed



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by the defacto complainant for cancellation of anticipatory bail, the anticipatory bail granted to the petitioners was cancelled.

5. Considering the contact of the petitioners, this Court is not inclined to grant anticipatory bail to the petitioners.

6. The learned counsel for the petitioners submits that the petitioners preferred this application only on medical grounds and they are also undertaking that they will comply any condition.

7. Considering the submission of the learned counsel for the petitioners and already they were granted anticipatory bail, this Court is inclined to grant anticipatory bail to the petitioners.

8. 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 concerned learned Judicial Magistrate, on condition that:

(i) the petitioners execute a bond for a sum of Rs.25,000/- (Rupees Twenty Five



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

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Judicial Magistrate, Eraniel, Kanyakumari District;

(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 twice ie. at 10.30 am and 05.30 pm 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/-

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/07/2024

Sub-Assistant Registrar

(C.S. I / II / III / IV)

Madurai Bench of Madras High Court,

Madurai - 625 023.

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TO

1 THE JUDICIAL MAGISTRATE,
ERANIEL, KANYAKUMARI DISTRICT.



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2 DO THROUGH THE CHIEF JUDICIAL
MAGISTRATE, KANYAKUMARI DISTRICT AT NAGERCOIL.

3 THE INSPECTOR OF POLICE,
CLOCHEL POLICE STATION ,
KANYAKUMARI DISTRICT.

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

+1 CC to M/s.S.KANAGARAJAN, Advocate (SR-6904[I] dated 25/06/2024)

ORDER
IN
CRL OP(MD) No.9211 of 2024
Date :24/06/2024

SA/GS/SAR. /02.07.2024/5P/6C

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