



CRL OP(MD).No.9620 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Date : 05.07.2024

PRESENT

The Hon`ble Mr.Justice B.PUGALENDHI

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1. Rajadurai

2. Murugan @ Murugaraj

3. Pandishwaran @ Pandeewaran

... Petitioners/ Accused Nos. 1 to 3

Versus

The Inspector of Police,
Veerapandi Police Station,
Theni District.
(Crime No.163 of 2024)

... Respondent/Complainant

For Petitioners : Mr.S.Srikanth,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.163 of 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
<https://www.mhc.tn.gov.in/judis>



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connection with a case in Crime No.163 of 2024, for the offence punishable under Sections 294(b), 323, 506(i) of IPC and Section 4 of TNPHW Act, have filed this petition seeking anticipatory bail.

2. The case of the prosecution is that the first petitioner /A1 and the defacto complainant's minor daughter were in love affair and both of them eloped together. Therefore, a case has been registered against A1, in Crime No.284 of 2023 for the offence under Section 366 IPC and Section 6 of POCSO Act. While so, on 21.05.2024, the accused persons went to the defacto complainant's house, threatened the defacto complainant and her daughter to withdraw the case registered against A1 and also assaulted them. Hence, the case.

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. Hence, he prays for grant of anticipatory bail to the petitioners.

4. The learned Counsel for the petitioners also submits that the petitioners had filed an affidavit of undertaking that they will not indulge in any offence in future and they will not disturb the defacto complainant and the victim girl.



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5. The learned Government Advocate (Crl. side) appearing for the respondent opposed for grant of anticipatory bail to these petitioners that their conduct in threatening the witness in earlier occasion has to be considered.

6. Considering the facts and circumstances of the case and also considering the fact that the petitioners had filed an affidavit of undertaking that they will not disturb the defacto complainant and the victim and they will not indulge in any offence, this Court is inclined to grant anticipatory bail to the petitioners.

7. 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 learned Additional Mahila Court (Judicial Magistrate Level), Theni, on condition that

(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 Additional Mahila Court (Judicial Magistrate Level), Theni.

(ii) The petitioners and the sureties shall submit a copy of their Aadhaar Card

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or any other identity card issued by the government in proof of their residence address;

(iii) The petitioners shall stay at Sivagangai and shall appear before the Inspector of Police, Sivagangai Town Police Station, Sivagangai, daily at 10.30 a.m until further orders. They have to co-operate for the investigation. The petitioners shall also file an affidavit of undertaking before the Police Station concerned that they will not indulge in any offence in future.

(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/-
05/07/2024

/ TRUE COPY /

/07/2024
Sub-Assistant Registrar
(C.S.I /II /III /IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

JBR
TO

1 THE JUDICIAL MAGISTRATE,
ADDITIONAL MAHILA COURT, THENI.

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- 2 DO THROUGH:
THE CHIEF JUDICIAL MAGISTRATE,
THENI DISTRICT.
- 3 THE INSPECTOR OF POLICE
VEERAPANDI POLICE STATION
THENI DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

COPY TO

THE INSPECTER OF POLICE
SIVAGANGAI TOWN POLICE STATION,
SIVAGANGAI.

+1 CC to M/s.S.SRIKANTH, Advocate (SR-7641[I] dated 09/07/2024)

ORDER
IN

CRL OP(MD) No.9620 of 2024
Date :05/07/2024

PKP/GS/SAR /30.07.2024/ 5P/7C

Madurai Bench of Madras High Court is issuing certified
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