



CRL OP(MD) No.23384 of 2023

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

Tuesday, the Second day of January Two Thousand and Twenty Four

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

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1 TAMILARASI

2 RAMAMOORTHY

3 RAMESH KANNAN

4 MURUGAIYA

(IN THE FIR NAME IS MENTIONED AS
MURUGAIYATHASAN)

5 KANI

6 MURUGESWARI

... PETITIONERS/ACCUSED 1 TO 4, 6, 7

Vs

THE INSPECTOR OF POLICE
THEVARAM POLICE STATION,
THENI DISTRICT.

CRIME NO.114 OF 2023

... RESPONDENT/COMPLAINANT

For Petitioner : Mr.A.MOHAMED HASHIM Advocate

For Respondent : Mr.S.S.MADHAVAN, Govt. Advocate (Crl. Side)



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

PRAYER:- FOR ANTICIPATORY BAIL IN CRIME NO.114 OF 2023 ON THE FILE OF THE RESPONDENT POLICE.

ORDER : The Court Made the following order :-

The petitioners / Accused Nos.1 to 4, 6 and 7 who apprehend arrest at the hands of the respondent police for the alleged offence punishable under Sections 147, 148, 294(b), 448, 427, 323 and 324 of I.P.C in Crime No.114 of 2023, seek anticipatory bail.

2. The case of the prosecution is that the defacto complainant is the father-in-law. He made a complaint before the respondent Police as if the petitioner and the relatives had attacked the defacto complainant's wife and son and due to which, they approached the respondent Police and the respondent Police registered a case against the petitioners.

3. The learned counsel appearing for the petitioners would submit that the first petitioner is the daughter-in-law and other petitioners are relatives of the first petitioner. He would further submit that the respondent Police implicated a false case against the petitioners. The learned counsel appearing for the petitioners would further submit that the petitioners did not commit any offence as alleged by the prosecution and they are innocent persons and hence, they prayed for anticipatory



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4. The learned Government Advocate (Criminal Side) appearing for the respondent Police would submit that there was a family dispute between the petitioners and the defacto complainant. He would further submit that the petitioners have already filed Anticipatory Bail Application and the same was dismissed as withdrawn by this Court in CrI.O.P.(MD).No.14987 of 2023 dated 17.08.2023.

5. Considering the facts and circumstances of the case and considering the fact that it is purely a matrimonial dispute and also considering the nature of the case , I am inclined to grant anticipatory bail to the petitioners.

6. Accordingly, the petitioners are granted anticipatory bail and they 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 learned Judicial Magistrate, Bodi, on condition that the petitioners shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand Only) each with two sureties each for a like sum to the satisfaction of the respondent police or the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further condition that:

(a).if the petitioners failed to surrender before the



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concerned Magistrate within a period of 15 days from the date of receipt of a copy of this order, this order shall stand automatically cancelled;

(b).the sureties shall affix their photographs and left thumb impression in the surety bond and the Court concerned may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

(c).the petitioners are directed to appear before the respondent police as and when required for interrogation;

(d).the petitioners shall not tamper with evidence or witness either during investigation or trial;

(e).the petitioners shall not abscond either during investigation or trial;

(f).on breach of any of the aforesaid conditions, the learned Magistrate/ Trial Court is entitled to take appropriate action against the petitioners in accordance with law as if the conditions have been imposed and the petitioners released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in P.K.Shaji Vs. State of



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Kerala [(2005) AIR SCW 5560]; and;

(g).if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

sd/-
02/01/2024

/ TRUE COPY /

/01/2024
Sub-Assistant Registrar
(C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TSG

TO

1 THE JUDICIAL MAGISTRATE,
BODI.

2 DO THROUGH THE CHIEF JUDICIAL
MAGISTRATE, THENI DISTRICT.

3 THE INSPECTOR OF POLICE
THEVARAM POLICE STATION,
THENI DISTRICT.

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

+1 CC to M/s.S.SUNDARAMOORTHY, Advocate (SR-6[I] dated 02/01/2024)

ORDER IN
CRL OP(MD) No.23384 of 2023
Date :02/01/2024

SA/JGB/SAR. /08.01.2024/5P/6C

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