



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

Thursday, the Twenty Ninth day of January Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice P.N.PRAKASH

CRL OP(MD) No.1436 of 2015

K.SAMSATH BEVEE

... PETITIONER/ ACCUSED NO.3

Vs

THE STATE REP.BY
THE SUB INSPECTOR OF POLICE
ALANGANALLUR POLICE STATION,
MADURAI DISTRICT. CR. NO.14/2015.

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.T.K.GOPALAN Advocate

For Respondent : MR.A.P.BALASUBRAMANIAN, Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

Apprehending arrest at the hands of the respondent police for the alleged offences punishable under Sections 294(b), 427 and 506(ii) IPC r/w Section 4 of the Tamil Nadu Women Harassment Act, in Crime No.14 of 2015 on the file of the respondent police, the petitioner has come forward with this petition seeking anticipatory bail.

2.The case of the prosecution is that the petitioner has assaulted the defacto complainant and caused injury.

3.The learned counsel for the petitioner submitted that the petitioner has been falsely implicated in this case.

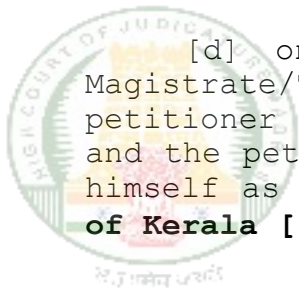
4.The learned Government Advocate (Crl.side) submits that the injured has been discharged from the hospital and that no previous case has been registered against the petitioner.

5.Considering the fact that the injured has already been discharged from hospital, I am inclined to grant anticipatory bail to the petitioner. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on her appearance, within a period of fifteen (15) days from the date of receipt of a copy of this order, before the learned Judicial Magistrate, Vadipatti, on executing a separate bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) 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] the petitioner shall report before the respondent police as and when required for interrogation.;

[b] the petitioner shall not tamper with evidence or witness either during investigation or trial;

[c] the petitioner shall not abscond either during investigation or trial;



[d] on breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioner in accordance with law, as if the conditions have been imposed and the petitioner 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 Kerala [(2005)AIR SCW 5560]**.

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sd/-
29/01/2015

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Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

1. THE JUDICIAL MAGISTRATE VADIPATTI.

2.DO THRO THE CHIEF JUDICIAL MAGISTRATE, MADURAI.

3.THE ADDL. PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

4.THE SUB INSPECTOR OF POLICE
ALANGANALLUR POLICE STATION, MADURAI DISTRICT. CR. NO.14/2015.

+1. CC to M/S.T.K.GOPALAN Advocate SR.No.4029

ORDER
IN
CRL OP(MD) No.1436 of 2015
Date :29/01/2015

rg.30.01.2015 2p.6c.