



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

Monday, the Twenty Fourth day of August Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice K.KALYANASUNDARAM

CRL OP(MD) No.16236 of 2015

MALATHI

... PETITIONER / ACCUSED NO.2

Vs

THE STATE REP.BY

THE STATE REP THE INSPECTOR OF POLICE

COLACHEL POLICE STATION

KANYAKUMARI DISTRICT

CRIME NO 311 /2015

... RESPONDENT / COMPLAINANT

For Petitioner : M/S K.P.NARAYANAKUMAR Advocate

For Respondent : M/S.S.PRABHA, Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

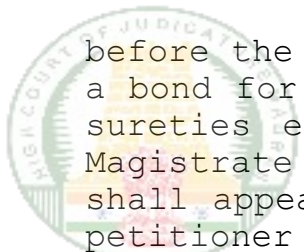
The petitioner, who is arrayed as accused No.2, apprehends arrest at the hands of the respondent police for the alleged offence punishable under Sections 294(b), 307, 452, 323, 506(ii) of I.P.C., and Section 3(i) of TNPPDL Act r/w. Section 4 of TNPWH Act, 2002 in Crime No.311 of 2015 on the file of the respondent police, seeks anticipatory bail.

2. According to the de-facto complainant, on 28.07.2015, the accused attacked the de-facto complainant with lethal weapons and caused injuries and also caused damage to the household articles, motor cycle and kitchen shed.

3. The learned counsel for the petitioner submitted that the petitioner is the wife of the first accused and she has been falsely implicated in this case.

4. The learned Government Advocate (Crl.side) submitted that the first accused is having 21 previous cases and the third accused is having one previous case, however the petitioner has no bad antecedent.

5. Considering the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions. Accordingly, the petitioner is ordered to be released on bail in the event of her arrest or on her appearance



before the learned Judicial Magistrate, Eraniel and on her executing a 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 learned Magistrate concerned and on further condition that the petitioner shall appear before the respondent police as and when required. The petitioner shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously.

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6. The petitioner shall appear before the concerned Magistrate within a period of 15 days from the date on which the order copy made ready, failing which, the petition for anticipatory bail stands dismissed.

7. It is made clear that the accused 1 and 3 shall not take advantage of the order passed in this Petition.

sd/-

24/08/2015

/ TRUE COPY /

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

TO

1. THE JUDICIAL MAGISTRATE,
ERANIEL

2. THE CHIEF JUDICIAL MAGISTRATE
KANYAKUMARI

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

4. THE STATE REP THE INSPECTOR OF POLICE
COLACHEL POLICE STATION KANYAKUMARI DISTRICT.

+1. CC to M/S K.P.NARAYANAKUMAR Advocate SR.No.48594

ORDER

IN

CRL OP(MD) No.16236 of 2015

Date : 24/08/2015

rg.28/08/2015 2p/6c.