



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

**Friday, the Fifth day of August Two Thousand Sixteen**

**PRESENT**

**The Hon`ble Ms.Justice V.M.VELUMANI**

**CRL OP(MD) No.13881 of 2016**

MARIASELVI

... PETITIONER/ACCUSED NO.1

Vs

THE INSPECTOR OF POLICE,  
THALAMUTHU NAGAR POLICE STATION, THOOTHUKUDI,  
CR. NO. 388 OF 2016

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.A. MOHAN Advocate

For Respondent : M/S.P.KANNITHEVAN Govt. Advocate ( Crl. Side)

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

ORDER : The Court Made the following order :-

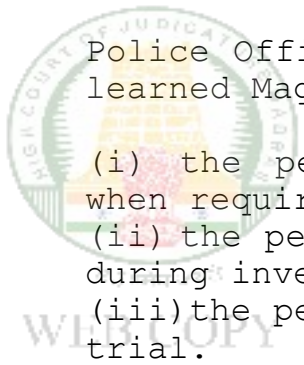
The petitioner, who is arrayed as accused No.1, apprehends arrest at the hands of the respondent police for the offence under Sections 294(b), 323 and 324 IPC and Section 4 of TNPHW Act, in Crime No.388 of 2016, on the file of the respondent police and hence, seeks anticipatory bail.

2.The case of the prosecution is that on 02.07.2016, due to some wordy quarrel, the petitioner and her husband were attacked the defacto complainant with a stick and caused injuries. On complaint, a case has been registered for the above said offence.

3.The case of the petitioner is that the petitioner is an innocent person and she has not committed any offence as alleged by the prosecution. Due to motive, her name has been falsely implicated in this case.

4.Heard the learned Government Advocate (Criminal side).

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 arrest or on his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate No.II, Thoothukudi, on condition that the petitioner shall execute 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 respondent Police or to the



Police Officer, who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further condition that:

(i) the petitioner shall report before the respondent Police as when required for interrogation.

(ii) the petitioner shall not tamper with evidence or witness either during investigation or trial.

(iii) the petitioner shall not abscond either during investigation or trial.

(iv) 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]**.

6.The Inspector of Police concerned is directed to send a compliance report to the office of the learned Government Advocate, as to whether the petitioner is complying with the conditions or not.

sd/-  
05/08/2016

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE NO.II, THOOTHUKUDI.
- 2 THE CHIEF JUDICIAL MAGISTRATE, THOOTHUKUDI.
- 3 THE INSPECTOR OF POLICE, THALAMUTHU NAGAR POLICE STATION, THOOTHUKUDI.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,  
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.A. MOHAN Advocate SR.No. 42259

PJL  
JA-KBM-SAR.I/11.08.2016/2P:6C

ORDER IN  
CRL OP(MD) No.13881 of 2016  
Date :05/08/2016