



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

Thursday, the Seventeenth day of November Two Thousand Sixteen

PRESENT

The Hon`ble Mr Justice S.VAIDYANATHAN

CRL OP(MD) No.21493 of 2016

SUSILA,

... PETITIONER /SOLE ACCUSED

Vs

STATE BY THE INSPECTOR OF POLICE,
KODAIKANAL POLICE STATION, KODAIKANAL ,
DINDIGUL DISTRICT
CRIME NO. 345 OF 2016

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.J.M.HASSANUL BAZARI Advocate

For Respondent : M/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 apprehends arrest at the hands of the respondent Police for the offence punishable under Section 328 IPC in Crime No.345 of 2016 on the file of the respondent Police, seeks anticipatory bail.

2.The case of the prosecution is that on 23.07.2016, the petitioner gave a juice to the de facto complainant's mother and at that time, the de facto complainant intercepted and tested the juice and he found that a strong chemical was mixed in the juice. Hence, he lodged the present complaint.

3.The learned counsel for the petitioner submitted that the petitioner is an innocent person and he has been falsely implicated in this case.

4.The learned Government Advocate (Crl.side) submitted that chemical analysis report is awaited.

5.Considering the facts and circumstances of the case and also taking note of the fact that the petitioner is the daughter-in-law of the defacto complainant's mother, custodial interrogation is not necessary at this stage, hence, 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 his appearance, within a period of 15 days from the date of receipt of a copy of this order, before the learned District Munsif cum Judicial Magistrate, Kodaikanal, 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 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.

[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)**.

sd/-

17/11/2016

/ TRUE COPY /

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

TO

- 1 THE DISTRICT MUNSIF CUM
JUDICIAL MAGISTRATE, KODAIKANAL
- 2 THE CHIEF JUDICIAL MAGISTRATE
KODAIKANAL
- 3 THE INSPECTOR OF POLICE,
KODAIKANAL POLICE STATION, KODAIKANAL ,
DINDIGUL DISTRICT
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

+1. CC to M/S.J.M.HASSANUL BAZARI Advocate SR.No.69899

ORDER

IN

CRL OP(MD) No.21493 of 2016

Date :17/11/2016

SMA/SS-3/AR-CS2/23.11.2016:2P/6C