

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Thursday, the Thirty First day of May Two Thousand Eighteen

PRESENT

The Hon`ble Mr Justice N. SATHISH KUMAR

CRIMINAL ORIGINAL PETITION No.14422 of 2018

SHANKARI,

[PETITIONER / ACCUSED]

Vs

STATE REP. BY,
THE STATION HOUSE OFFICER,
ARAKKONAM TOWN POLICE STATION,
VELLORE DISTRICT.
CR.NO.307 OF 2018.

[RESPONDENT]

For Petitioner : M/S.D.DAYALAN Advocate

For Respondent : MRS.M.PRABHAVATHI, ADDL. PUBLIC PROSECUTOR

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

ORDER : The Court Made the following order :-

The petitioner seeks anticipatory bail in Crime No.307 of 2018 registered by the respondent for the offence punishable under Sections 294(b), 324 and 506(i) of IPC.

2. The Petitioner is A3. The case of the prosecution as per the de-facto complainant is that during domestic quarrel, the petitioner's son (A1) is said to have beaten the daughter of the defacto complainant/wife of A1/daughter-in-law of the petitioner herein. The further allegation levelled against the petitioner is that she abused the defacto complainant with unparliamentary words and threatened her with dire consequences.

3. The learned counsel for the petitioner would submit that the petitioner has not committed any such offence as alleged by the prosecution and she has been falsely implicated in this case.

4. The learned Additional Public Prosecutor submitted that the petitioner abused the *de facto* complainant with filthy language and threatened with dire consequences. She further submitted that A1 and A3 have already been released on bail.

5. Having regard to the nature of allegations against the petitioner and taking note of the fact that A1 and A3 have already released on bail, I am inclined to grant anticipatory bail to the petitioner subject to the following conditions:

6. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on her appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate, Arakkonam, on condition that of the petitioner 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 said Magistrate, on further condition that:

(i) the petitioner shall report before the respondent police everyday at 10.30 a.m. for a period of two weeks and thereafter, as and 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]**.

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

-sd/-
31/05/2018

This order, on being produced, be punctually observed and carried into execution by all concerned

TRUE COPY

Sub-Assistant Registrar (Statistics/C.S.)
High Court, Madras - 600 104.

TO

1 THE JUDICIAL MAGISTRATE,
ARAKKONAM.

2 THE CHIEF JUDICIAL MAGISTRATE
VELLORE. [FOR INFORMATION]

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4 THE STATION HOUSE OFFICER,
ARAKKONAM TOWN POLICE STATION,
VELLORE DISTRICT.

+1 CC to M/S.D.DAYALAN Advocate on payment of necessary charges-
Sr.9867

CRL OP.14422/2018

Date :31/05/2018

ths : 05.06.2018