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

Thursday, the Thirteenth day of December Two Thousand Eighteen

PRESENT

The Hon`ble Mr.Justice M.NIRMAL KUMAR

CRL OP(MD) No.22006 of 2018

MUNEESWARI ... PETITIONER / 2nd ACCUSED

Vs

THE STATE REP BY ITS,
THE INSPECTOR OF POLICE
MUDUKULATHUR POLICE STATION,
RAMANATHAPURAM DISTRICT.
(CRIME NO. 149/2018) ... RESPONDENT / COMPLAINANT

For Petitioner : MR.M.SIVA RAMAKRISHNAN Advocate

For Respondent : MR.S.CHANDRASEKAR, ADDITIONAL PUBLIC PROSECUTOR

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 offences punishable under Sections 294(b), 323, 324, 355, 336 and 506(ii) I.P.C and Section 4 of TNPHW Act, in Crime No.149 of 2018, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner and the defacto complainant are relatives. Due to family dispute between them, the petitioner assaulted the defacto complainant and abused him with filthy language and caused injuries. Hence the complaint.

3.The learned counsel for the petitioner would submit that the petitioner is an innocent and she has not committed any offence as alleged by the prosecution.

4.The learned Additional Public Prosecutor would submit that the injured has been discharged from the hospital.

5.Taking into consideration the facts of the case and the submissions by learned counsels, this Court is inclined to grant anticipatory bail to the petitioner.

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,

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before the learned Judicial Magistrate, Mudhukulathur, 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 said Magistrate, on further condition that:

[a] the shall appear before the respondent police as and when required for interrogation.

[b] if the petitioner failed to surrender before the said Magistrate within a period of fifteen days, this Order shall stand automatically cancelled.

[c] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[d] the petitioner shall not abscond either during investigation or trial.

[e] 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].**

[f] If the accused thereafter abscond, a fresh FIR can be registered under Section 229-A IPC.

sd/-
13/12/2018

/ TRUE COPY /

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

TO

1 THE JUDICIAL MAGISTRATE
MUDHUKULATHUR, RAMANATHAPURAM

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE
RAMANATHAPURAM DISTRICT

3 THE INSPECTOR OF POLICE
MUDUKULATHUR POLICE STATION, RAMANATHAPURAM DISTRICT.

4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI

+1. CC to MR.JEYAKARTHIK Advocate SR.No.23327

ORDER
IN
CRL OP(MD) No.22006 of 2018
Date :13/12/2018

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MSI/VR-MMS/SAR-II/19.12.2018-2P/6C