



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.22055 of 2018

AISHWARYA

... PETITIONER / 2nd ACCUSED

Vs

STATE REP. BY
THE INSPECTOR OF POLICE,
KALLAKUDI POLICE STATION,
TRICHY DISTRICT.
IN CRIME NO. 218 OF 2018

... RESPONDENT / COMPLAINANT

For Petitioner : MR.T.LENIN KUMAR 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 :-

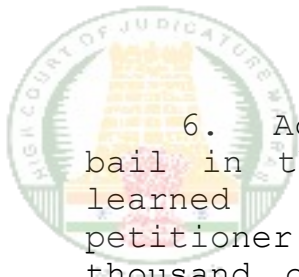
The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offences punishable under Sections 294(b), 323,324 and 506(ii) of IPC and Section 4 of the Tamil Nadu Prohibition of Harassment of Women Act in Cr.No.218 of 2018 seeks anticipatory bail.

2. The case of the prosecution is that the defacto complainant's husband is having illicit relationship with the petitioner. On the date of occurrence, the defacto complainant went to the house of the petitioner to look after her husband, at that time defacto complainant's husband abused her, attacked her and threatened with dire consequences and thereafter she is said to have consumed poison.

3. The learned counsel for the petitioner would submit that the petitioner has been falsely implicated in this case, except being friendly with the defacto complainant's husband, no other allegations are made against her.

4. The learned Additional Public Prosecutor would submit that after consuming poison, stomach has been washed and that A1 is arrested and is in judicial custody.

5. Taking into consideration the facts of the case and the submissions by learned counsels, this Court 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 his appearance, before the learned Judicial Magistrate, Lalgudi 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] if the petitioner fail to surrender before the said Magistrate within a period of fifteen days, this Order shall stand automatically cancelled.

[b] the petitioner shall report before the respondent police as and when required for interrogation

[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,
LALGUDI.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
TRICHY.
- 3 THE INSPECTOR OF POLICE,
KALLAKUDI POLICE STATION,
TRICHY DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.T.LENIN KUMAR Advocate SR.No. 23242

ORDER

IN

CRL OP(MD) No.22055 of 2018

Date :13/12/2018