



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

Friday, the Fourteenth day of December Two Thousand Eighteen

PRESENT

The Hon`ble Mr.Justice A.D.JAGADISH CHANDIRA

CRL OP(MD) No.22146 of 2018

J. KALAISELVI

... PETITIONER / ACCUSED No.2

Vs

STATE THRO'
INSPECTOR OF POLICE
MUDUGULATHUR POLICE STATION,
RAMANATHAPURAM DISTRICT.
(CRIME NO. 148 OF 2018)

... RESPONDENT / COMPLAINANT

For Petitioner : MR.R.M.MAKESH KUMARAVEL, Advocate

For Respondent : MR.S.CHANDRASEKAR,
Additional Public Prosecutor.

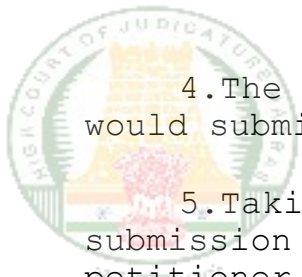
PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

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 Women Harassment Act, in Crime No.148 of 2018 seeks anticipatory bail.

2.The case of the prosecution is that there was a quarrel between the petitioner and the defacto complainant, due to which, the defacto complainant sustained injury. Hence, the complaint.

3.The learned counsel for the petitioner would submit that the petitioner and the defacto complainant have residing in the same village. She has not committed any offence as alleged by the prosecution. The petitioner also lodged a complaint against the defacto complainant, a case has been registered in Crime No.149 of 2018. Hence, he prays for grant of anticipatory bail to the petitioner.



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

5.Taking into consideration the facts of the case and the submission made on either side, I am inclined to grant bail to the petitioner.

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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, Mudugulathur, Ramnad District, 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 petitioner shall appear before the respondent police daily at 10.30 a.m for a period of one week, thereafter 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.

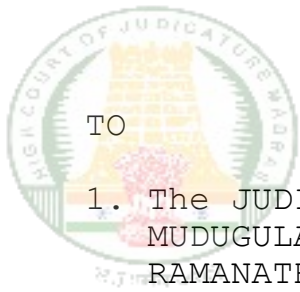
[d] the petitioner shall not abscond either during investigation or trial.

[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 herself 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/-
14/12/2018

/ TRUE COPY /



TO

1. The JUDICIAL MAGISTRATE,
MUDUGULATHUR,
RAMANATHAPURAM DISTRICT.
2. DO THRO' THE CHIEF JUDICIAL MAGISTRATE,
RAMANATHAPURAM DISTRICT.
3. THE INSPECTOR OF POLICE
MUDUGULATHUR POLICE STATION,
RAMANATHAPURAM DISTRICT.
4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

+1. CC to M/S.R.M.MAKESH KUMARAVEL Advocate SR.No.23429

ORDER
IN
CRL OP (MD) No.22146 of 2018
Date :14/12/2018

AM/VR MMS/S-3/21.12.2018/3P/6C