



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

Monday, the Seventeenth day of December Two Thousand Eighteen

PRESENT

The Hon`ble Mr.Justice M.NIRMAL KUMAR

CRL OP (MD) No.22216 of 2018

GOKILARANI

... PETITIONER /2nd ACCUSED

Vs

THE STATE REP. BY ITS,
THE INSPECTOR OF POLICE,
PARAMAKUDI TOWN POLICE STATION,
RAMANATHAPURAM DISTRICT.
(CRIME NO.43/2017)

... RESPONDENT / COMPLAINANT

For Petitioner : MR.R.BOOMINATHAN 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) and 307 of IPC, in Crime No.43 of 2017, seeks anticipatory bail.

2.The case of the prosecution is that due to some previous dispute between the parties, A-1 at the instigation of the petitioner, attacked the defacto complainant and caused injuries.

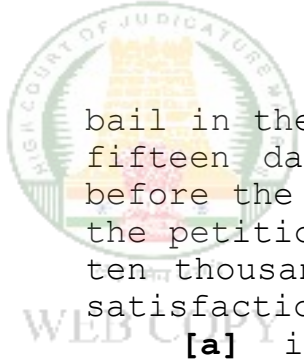
3.The learned counsel for the petitioner would submit that the petitioner is an innocent lady and she has nothing to do with the alleged occurrence.

4.The learned Additional Public Prosecutor for the respondent police submitted that in this case, investigation has been completed and final report was filed on 08.06.2017 for the offence under Sections 294(b) and 307 of I.P.C before Judicial Magistrate Court, Paramakudi.

5.Taking into consideration the facts of the case and also considering the fact that investigation has been completed and final report was filed, this Court is inclined to grant anticipatory bail to the petitioner.

<https://hcservices.ecourts.gov.in/hcservices/>

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, Paramakudi 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 learned Judicial Magistrate, Paramakudi on all hearing dates without fail till the committal proceedings is completed and thereafter appear before the trial Court.

[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/-

17/12/2018

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE, PARAMAKUDI
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE
RAMANATHAPURAM DISTRICT
- 3 THE INSPECTOR OF POLICE,
PARAMAKUDI TOWN POLICE STATION, RAMANATHAPURAM DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI

+1. CC to MR.JEYAKARTHIK Advocate SR.No.23532

ORDER IN

CRL OP(MD) No.22216 of 2018

Date :17/12/2018