



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

Monday, the Twenty Sixth day of November Two Thousand Eighteen

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PRESENT

The Hon`ble Mr.Justice M.NIRMAL KUMAR

CRL OP (MD) No.20887 of 2018

RAGARATHINAM

... PETITIONER / SOLE ACCUSED

Vs

STATE REP BY
THE SUB INSPECTOR OF POLICE,
SAMINATHAPURAM POLICE STATION,
DINDIGUL DISTRICT.
CRIME NO. 182 OF 2018

... RESPONDENT / COMPLAINANT

For Petitioner : MR.A.D.GANESHAMOORTHY Advocate

For Respondent : MR.M.ASOKAN, Government Advocate (Crl.Side)

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), 324 and 506(ii) of IPC in Crime No.182 of 2018, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner is adjacent house owner of the defacto complainant and there was a civil dispute between the petitioner and the defacto complainant. On 02.11.2018, the petitioner attacked the defacto complainant with dire consequences. Hence, the complaint.

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

4.The learned Government Advocate (Crl.side) for the respondent police would submit that the injured has been discharge from the hospital on 22.11.2018.

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, before the learned Judicial Magistrate, Palani, Dindigul 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] 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/-
26/11/2018

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

TO

1. THE JUDICIAL MAGISTRATE,
PALANI, DINDIGUL DISTRICT
2. DO THRO' THE CHIEF JUDICIAL MAGISTRATE,
DINDIGUL DISTRICT
3. THE SUB INSPECTOR OF POLICE
SAMINATHAPURAM POLICE STATION,
DINDIGUL DISTRICT.
4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI



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+1. CC to MR.A.D.GANESHAMOORTHY Advocate SR.No.22090

ORDER

IN

CRL OP (MD) No.20887 of 2018

Date :26/11/2018

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MK/PN/SAR 1/30.11.2018/3P/6C