



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

Friday, the Thirty First day of August Two Thousand Eighteen

PRESENT

The Hon`ble Mr.Justice G.K.ILANTHIRAIYAN

CRL OP(MD) No.15514 of 2018

1 SHANTHI
2 SAVARIAMMAL
3 THOMMAYI

... PETITIONERS/ACCUSED No.2 to 4

Vs

THE INSPECTOR OF POLICE,
THARUVAIKULAM NAGAR POLICE STATION,
THOOTHUKUDI DISTRICT.
CR.NO.63 OF 2018

... RESPONDENT/COMPLAINANT

For Petitioners : MR.N.PRAGALATHAN, Advocate

For Respondent : MR.A.P.G.OHM CHAIRMA PRABHU,
Government Advocate (Crl.Side)

PETITION FOR BAIL Under Sec. 439 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioners are in judicial custody since 08.08.2018 for the offences punishable under Sections 294(b), 342, 353, 324, 307 and 506(ii) I.P.C. and Section 4 of Tamil Nadu Prohibition of Harassment Women Act, 2002 in Crime No.63 of 2018, on the file of the respondent Police. They seek bail.

2. Heard the learned counsel appearing for the petitioners and the learned Government Advocate (Crl. side) appearing for the respondent.

3. The case of the prosecution is that the first petitioner herein is the wife of the first accused. The second petitioner is the daughter of the first accused and the third petitioner is the mother of the first accused. On 07.08.2018, at about 10.15 p.m. the *de facto* complainant / Sub Inspector of Police went to the accused house to enquire the first accused. At that time, there is a wordy quarrel between the petitioners and the *de facto* complainant. The petitioners and accused No.1 caught hold the *de facto* complainant and attacked her. But the *de facto* complainant escaped from the place of occurrence and sustained only simple injury. Hence the complaint.



4. The learned Government Advocate (Crl. side) appearing for the respondent would submit that the petitioners and other accused attacked the de facto complainant with aruval and wooden log and the injured has been discharged from the hospital.

5. Considering the above facts and circumstances and also considering the period of incarceration undergone by the petitioners from 08.08.2018, this Court is inclined to grant bail to the petitioners.

Accordingly, **the petitioners are ordered to be released on bail** subject to the following conditions:

(i) the petitioners shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand Only) each with two sureties, each for a like sum to the satisfaction of the learned Judicial Magistrate, Vilathikulam, Thoothukudi District.

(ii) the petitioners shall report before the learned Judicial Magistrate, Vilathikulam, Thoothukudi District, daily at 10.30 a.m. until further orders;

sd/-

31/08/2018

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE, VILATHIKULAM, THOOTHUKUDI DISTRICT
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, THOOTHUKUDI DISTRICT
- 3 THE INSPECTOR OF POLICE,
THARUVAIKULAM NAGAR POLICE STATION, THOOTHUKUDI DISTRICT
- 4 THE OFFICER-IN-CHARGE,
SPECIAL SUB JAIL, KOKKIRAKULAM, TIRUNEVLEI DISTRICT
- 5 THE ADDITIONAL PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to MR.N.PRAGALATHAN Advocate SR.No.16645

ORDER

IN

CRL OP(MD) No.15514 of 2018

Date :31/08/2018

PK/RR/SAR-1/03.09.2018 : 2P/7C