



WEB COPY

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

Date : 05/09/2019

PRESENT

The Hon`ble Mr.Justice G.R.SWAMINATHAN

CRL OP(MD) . No.12343 of 2019

Chinna Muthupandi ... Petitioner/Accused No.3

Vs

The Inspector of Police,
Kadupatti Police Station,
Madurai District
(Crime No.182 of 2019).

... Respondent/Complainant

For Petitioner : M/s. Rajini,
Advocate.

For Respondent : A.Robinson,
Government Advocate (Crl.Side)

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

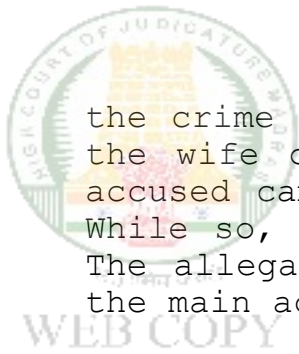
PRAYER :-

for Anticipatory Bail in Crime No.182 of 2019 on the file of
the Respondent Police

ORDER : The Court made the following order :-

The petitioner is figuring as A3 in Crime No.182 of 2019, on
the file of the respondent for the offences under Sections 294(b),
302 and 506(ii) of I.P.C. Apprehending arrest at the hands of the
respondent, he has filed this criminal original petition for
anticipatory bail.

2.The case of the prosecution is that the first and second
accused namely., V.P.Pandi and Chinnapandi used to block the path
way leading to Keelamattaiyan Colony and that the deceased/Vijayan
used to complain them. This is said to be the motive for committing



the crime in question. According to the defacto complainant, who is the wife of the deceased, on 14.08.2019 at about 07.30 p.m., the accused came to their house. The accused shouted at the deceased. While so, A1 and A2 dragged the deceased and stabbed him to death. The allegations made against the petitioner is that she instigated the main accused to commit the crime in question.

3.The learned Government Advocate (Crl. Side) strongly opposed the grant of anticipatory bail to petitioner pointing out that the allegations made against the petitioner is one of abetment of murder.

4.I carefully went through the contents of FIR. The only allegation against the petitioner is that she instigated A1 to stab the husband of the defacto complainant. Except this, no other allegation is made against the petitioner. It is further seen that the dispute was only between A1 and A2 on the one hand and the deceased on the other. The petitioner does not figure anywhere in the picture. The possibility of false implication cannot be ruled out. The petitioner is a young woman. She is said to be having two young children. Arresting the petitioner is not going to advance the cause of investigation. Therefore, I am inclined to grant anticipatory bail to the petitioner with certain conditions. Accordingly, petitioner is ordered to be released on bail in the event of arrest or on her appearance before the learned Judicial Magistrate Court, Vadipatti, and on her executing 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 learned Magistrate concerned and on further condition that the petitioner shall appear before the respondent police daily at 10.30 a.m., for a period of seven days and thereafter, as and when required for interrogation. The petitioner shall comply with the conditions stipulated under Section 438 Cr.P.C scrupulously.

5. The petitioner shall appear before the concerned Magistrate within a period of 15 days from the date on which the order copy made ready, failing which, the petition for anticipatory bail shall stand dismissed.

sd/-
05/09/2019

/ TRUE COPY /

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



TO

1 THE JUDICIAL MAGISTRATE COURT,
VADIPATTI, MADURAI DISTRICT.

2 DO-THROUGH :
THE CHIEF JUDICIAL MAGISTRATE,
MADURAI DISTRICT.

3 THE INSPECTOR OF POLICE,
KADUPATTI POLICE STATION,
MADURAI DISTRICT.

4 ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

+1. CC to M/S. RAJINI Advocate SR.No.12183 dt. 12/09/2019.

ORDER

IN

CRL OP(MD) No.12343 of 2019

Date :05/09/2019

SDS/SKN/SAR-4/16.09.2019/3P-6C