



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

Date : 07/01/2020

PRESENT

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

CRL OP(MD). No.141 of 2020

P.Packiyam

... Petitioner/Accused No.2

Vs

State Rep.by
The Inspector of Police,
Abiramam Police Station,
Ramanathapuram District.
(Crime No.201 of 2019)

... Respondent/Complainant

For Petitioner : M/s.C.Bethanasamy, Advocate.
For Respondent : Mr.K.K.Ramakrishnan,
Additional Public Prosecutor

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

PRAYER :-

for Anticipatory Bail in Crime No.201 of 2019 on the file of the respondent police.

ORDER : The Court made the following order :-

Heard the learned counsel appearing for the petitioner and the learned Government Advocate(Crl. Side) appearing for the respondent.

2. The petitioner apprehending arrest at the hands of the respondent police for the offences punishable under sections 294(b), 323, 307 and 506(ii) of I.P.C., r/w Section 4 of Tamil Nadu Prohibition of Women Harassment Act, in Crime No.201 of 2019 on the file of the respondent police, seeks anticipatory bail.

3. The learned Additional Public Prosecutor states that the victim is still in Hospital with severe head injuries.

4. On carefully going through the FIR, it is seen that the primary allegations are only against A1 and this petitioner is said to have instigated and also attacked on the back with a wooden log. The petitioner is a lady. She is aged about 67 years. Therefore, I am of the view that the prosecution will not suffer any prejudice by the grant of anticipatory bail.



5. The petitioner undertakes to stay at Sivagangai District and report before the Sivagangai Town Police Station daily at 10.30 a.m., for a period of four weeks. The petitioner's counsel gives an undertaking that the petitioner will not step into the Ramanathapuram District for a period of four weeks and she will not apply for modification or relaxation of this condition.

4. Subject to this condition, I am inclined to grant anticipatory bail to the petitioner with certain conditions. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on her appearance before the learned Judicial Magistrate, Kamuthi, 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 stay at Sivagangai District and report before the Sivagangai Town Police Station daily at 10.30 a.m., for a period of four weeks. The petitioner shall comply with the conditions stipulated under Section 438 Cr.P.C scrupulously.

6. 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/-
07/01/2020

/ TRUE COPY /

/ /2020
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

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

COPY TO: THE INSPECTOR OF POLICE,
SIVAGANGAI TOWN POLICE STATION.

+1 CC to M/s.C.BETHANASAMY, Advocate (SR-335[I] dated 07/01/2020)

ORDER IN
CRL OP(MD) No.141 of 2020
Date :07/01/2020

MS/JC/SAR-1/20.01.2020/2P.7C

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