



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

Date : 06/02/2020

WEB COPY

PRESENT

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

CRL OP(MD). No.1786 of 2020

Chandra

... Petitioner/Sole Accused

Vs

1.The State rep.by
The Deputy Superintendent Of Police,
Pudukkottai, Pudukkottai District.

2.The Inspector of Police,
Aathanakkottai Police Station,
Pudukkottai District
Crime No.98/2019.

...Respondents/Complainants

3.Tamilarasi ... 3rd Respondent/Defacto Complainant

For Petitioner : M/s.G.Mathavan,
Advocate.

For R1 & R2 : Mr.A.Robinson,
Government Advocate (Crl.Side)

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

PRAYER :-

for Anticipatory bail in Crime No.98 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), 324 of IPC and Section 3(1)(r), 3(2)(va) of the Scheduled Caste and Scheduled Tribes (Prevention of Atrocities) Amendment Act, 2015, in Crime No.98 of 2019 on the file of the respondent police, seeks anticipatory bail.



3. The defacto complainant has been notified about the listing of this case. It is seen from the materials on record that there is a civil dispute between the petitioner and the defacto complainant. The petitioner lodged a criminal case against the defacto complainant on 05.12.2019 and the same was registered in Crime No.97 of 2019 for the offences under Sections 294(b), 324, 341, 506(ii), 379 of I.P.C. The petitioner's specific allegation is that she was brutally attacked on the head and her ear was also cut and her ear-stud was taken away.

4. The learned counsel for the petitioner pointed out that the case on hand has been given as a counter blast. It is not in dispute that the case on hand was registered four days after the alleged occurrence.

5. I therefore, prima facie find that the case on hand has been given more as a counter blast. The petitioner is therefore, entitled for anticipatory bail.

6. In view of the above, 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 Special Court for P.C.R. Cases, Pudukkottai, 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 Special Judge concerned and on further condition that the petitioner shall appear before the respondent police as and when required for interrogation. The petitioner shall comply with the conditions stipulated under Section 438 Cr.P.C scrupulously.

7. 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/-
06/02/2020

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

TO

1. THE SPECIAL COURT FOR PCR CASES, PUDUKKOTTAI.

2. THE DEPUTY SUPERINTENDENT OF POLICE,
PUDUKKOTTAI, PUDUKKOTTAI DISTRICT.



3. THE INSPECTOR OF POLICE,
AATHANAKKOTTAI POLICE STATION,
PUDUKKOTTAI DISTRICT.

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

+1. CC to M/S.G.MATHAVAN Advocate SR.No.2526

ORDER
IN
CRL OP (MD) No.1786 of 2020
Date : 06/02/2020

PNN
TK/PN/SAR.2/12.02.2020/3P/6C