



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Monday, the Twentieth day of September Two Thousand Twenty One

PRESENT

The Hon`ble Mr Justice M.DHANDAPANI

CRIMINAL ORIGINAL PETITION No.17282 of 2021

MYTHILI

[PETITIONER / ACCUSED]

Vs

STATE REP BY

[RESPONDENT]

THE SUB INSPECTOR OF POLICE,
SENTHAMANGALAM POLICE STATION,
NAMAKKAL DISTRICT.
CRIME NO. 706 OF 2021.

For Petitioner : M/S. W.CAMYLES GANDHI Advocate

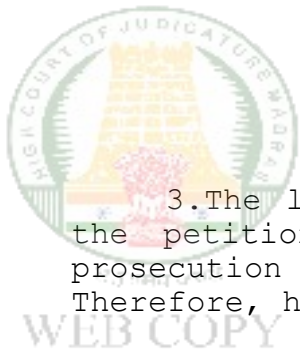
For Respondent : MR. A.GOPINATH, Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

The petitioner, who apprehends arrest for the alleged offence punishable under Sections 294(b), 323, 324 and 506(ii) of IPC in Crime No.706 of 2021 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner's husband and defacto complainant's father are brothers and already there was a civil dispute between the petitioner's husband and the defacto complainant's father regarding the boundary stone. In this connection, the petitioner's husband attacked the defacto complainant and his mother with iron rod and also threatened them with dire consequences. Thereby, the defacto complainant and his mother had sustained injuries. Hence, the complaint.



3.The learned counsel appearing for the petitioner submits that the petitioner has not committed any offence as alleged by the prosecution and she has been falsely implicated in this case. Therefore, he prays for grant of anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl.Side) submits that the injured has been discharged from the hospital.

5.Considering the fact that the injured has been discharged from the hospital, 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, Senthamangalam 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 respondent police or the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further condition that:

(a) the petitioner and the sureties shall affix their photographs and left thumb impression in the surety bond and the Court concerned may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

(b) the petitioner shall report before the respondent police daily at 10.30 a.m for a period of two weeks and thereafter 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 petitioners 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]; and;



(f) if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

-sd/-

20/09/2021

WEB COPY

This order, on being produced, be punctually observed and carried into execution by all concerned

TRUE COPY

Sub-Assistant Registrar (Statistics/C.S.)
High Court, Madras - 600 104.

TO

1 THE JUDICIAL MAGISTRATE,
SENTHAMANGALAM.

2 THE CHIEF JUDICIAL MAGISTRATE
NAMAKKAL DISTRICT. [FOR INFORMATION]

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4 THE SUB INSPECTOR OF POLICE, S
ENTHAMANGALAM POLICE STATION,
NAMAKKAL DISTRICT.

+1 CC to M/S. W.CAMYLES GANDHI Advocate on payment of necessary charges SR.NO.10263

CRL OP.17282/2021

Date :20/09/2021

RW 30/09/2021