



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 10/06/2021

WEB COPY

PRESENT

The Hon`ble Mr.Justice G.CHANDRASEKHARAN

CRL OP(MD). No.7396 of 2021

R.Pandiammal ... Petitioner/Accused 1

Vs

State Rep. by
The Inspector of Police,
Tallakulam Police Station,
Madurai City.
Crime No.433/2021.

... Respondent/Complainant

For Petitioner : Mr.Ramsundarvijayaraj.S,
Advocate
for M/s.Veera Associates

For Respondent : Mr.M.Muthumanickam,
Government Advocate (Crl.Side)

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

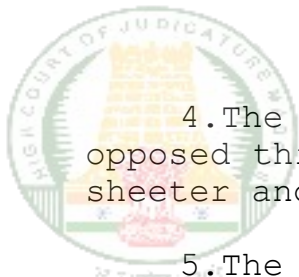
PRAYER :- For Anticipatory Bail in Crime No.433/2021 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner/A1, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 147, 148, 323, 324, 341 and 506(ii) of IPC, in Crime No.433 of 2021, seeks anticipatory bail.

2.The case of the prosecution is that on 14.04.2021 at about 10.40 a.m., when the de-facto complainant and thirty persons were celebrating Dr.Ambedkar's birthday, the petitioner and unnamed 50 persons attacked the de-facto complainant and his party man with iron rod, wooden log and sticks, as a result, one Venkatesan sustained head injuries and other party man also sustained injured. Hence the complaint.

3.The learned counsel for the petitioner would submit that the petitioner is an innocent and she is a District Secretary of a
<https://hccsecretdomains.gov.in/hccsecretdomains> and a false case has been foisted against her.



4.The learned Government Advocate(Crl.Side) would strongly opposed this petition on the ground that the petitioner is a history sheeter and she is having 12 previous cases.

5.The learned counsel for the petitioner would submit that those previous cases came to be registered due to political enmity and none of the cases involved the commission of serious offence like the offences under Section 307 and 302 I.P.C and therefore, he seeks anticipatory bail.

6.It is seen from the submissions made that the case of the prosecution is that on 14.04.2021, at about 10.40 a.m., when the defacto complainant and others were celebrating Dr.Ambedkar Birthday, the petitioners and other unnamed persons attacked the defacto complainant and his party men with iron rod, wooden log and as a result, one Venkatesh sustained head injury and others also sustained injuries.

7.Taking note of the facts of the case and the fact that the previous cases pending against the petitioner is mostly under Sections 506(i) and 506(ii) I.P.C. along with minor Indian Penal Code offence and also the fact that the petitioner belong to a political party and the fact that substantial part of the investigation is over, this Court is inclined to grant anticipatory bail to the petitioner with certain condition

8.Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on her appearance before the learned Judicial Magistrate No.II, Madurai, within a period of fifteen days from the date of resumption of regular work in subordinate Courts, 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 said Magistrate and on further condition that:

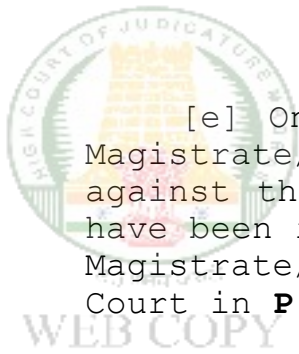
[a] the petitioner and the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

[b](ii)the petitioner is directed to deposit a sum of **Rs.10,000/- (Rupees Ten Thousand only) to the credit of Government of Tamil Nadu, CMPRF in IOB, Secretariat Branch, Chennai-9** (Account No.11720 10000 00070, IFSC Code: IOBA0001172), within a period of two weeks without prejudice to his rights and contentions before the trial Court and produce the receipt/acknowledgment before the learned Judicial Magistrate No.II, Madurai.

[b] the petitioner shall report before the respondent police daily at 10.30 a.m., until further orders;

[c]the petitioner shall not tamper with evidence or witness either during investigation or trial;

[d]the petitioner shall not abscond either during investigation



[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 petitioner 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]**;

[f] If the accused/petitioner thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

sd/-
10/06/2021

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/ /2021
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

TO

- 1 THE JUDICIAL MAGISTRATE NO.II,
MADURAI.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
MADURAI.
- 3 THE INSPECTOR OF POLICE,
TALLAKULAM POLICE STATION,
MADURAI.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

COPY TO:

THE OFFICER INCHARGE,
GOVERNMENT OF TAMIL NADU,
CHIEF MINISTER PUBLIC RELIEF FUND IN IOB,
SECRETARIAT BRANCH, CHENNAI-9.

ORDER
IN
CRL OP(MD) No.7396 of 2021
Date :10/06/2021

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JM/JC/SAR III/15.06.2021/3P/6C

<https://hcservices.ecourts.gov.in/hcservices/>