



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 12/05/2021

PRESENT

The Hon'ble Mr.Justice AA.NAKKIRAN

CRL OP(MD) . No.6695 of 2021

Rani

... Petitioner/Sole Accused

Vs

The State Rep. by
The Inspector of Police,
Athoor Police Station,
Thoothukudi District.
Cr.No. 97 of 2021.

... Respondent/Complainant

For Petitioner : Mr.Selvakumar.S, Advocate

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

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

PRAYER :-

For Anticipatory Bail in Crime No.97 of 2021 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offences punishable under Sections 294(b), 323, 324 and 506(ii) of IPC in Crime No.97 of 2021, seeks anticipatory bail.

2.The case of the prosecution is that due to some family dispute, the petitioner went to the defacto complainant's house and attacked him with wooden log and aruval. Hence, the complaint.

3.The learned counsel for the petitioner submitted that the petitioner is an innocent person and she did not commit any offence as alleged by the prosecution. Infact, on the day of occurrence the



defacto complainant only threatened the petitioner to vacate the premises of the house. The learned counsel submitted that the petitioner also lodged a complaint with the respondent police, which was registered in CSR.No.171 of 2021.

4.The learned Government Advocate submitted that the dispute is a family dispute and it resulted in a wordy quarrel. Further, the petitioner attacked the defacto complainant with aruval and wooden log, due to which, the defacto complainant sustained injuries. The learned Government Advocate further submitted that the injured person is discharged from the hospital on 03.05.2021. He raised no serious objection in allowing this application.

5.Heard the learned counsel appearing for the petitioner and the learned Government Advocate appearing for the respondent.

6.It is seen from the submissions made that the dispute is a family dispute. Further, the injured person is said to have discharged from the hospital on 03.05.2021 itself. In view of the same, this Court is inclined to grant anticipatory bail to the petitioner.

7.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, Thiruchendur, on condition that the petitioner shall execute a bond for a sum of Rs.50,000/- (Rupees fifty 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 Magistrate 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 as and when required.

[c]the petitioner is directed to deposit a sum of Rs.1,000/- (Rupees One Thousand only) to the credit of IOB, Secretariat Branch, Chennai-9 (Account No.11720 10000 00070, IFSC Code: IOBA0001172), within a period of two weeks without prejudice to her rights and contentions before the trial Court.

[d]the petitioner shall not tamper with evidence or witness either during investigation or trial.

[e]the petitioner shall not abscond either during investigation or trial.



[f]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].

[g]If the accused thereafter abscond, a fresh FIR can be registered under Section 229-A IPC.

sd/-
12/05/2021

/ TRUE COPY /

/ /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, THIRUCHENDUR.
2. DO-THROUGH : THE CHIEF JUDICIAL MAGISTRATE,
THOOTHUKUDI DISTRICT.
3. THE INSPECTOR OF POLICE,
ATHOOR POLICE STATION,
THOOTHUKUDI DISTRICT.
4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

COPY TO:-

THE OFFICER INCHARGE,
CHIEF MINISTER PUBLIC RELIEF FUND,
SECRETARTIAT, CHENNAI-9.

ORDER
IN
CRL OP(MD) No.6695 of 2021
Date :12/05/2021