



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 11.08.2021

WEB COPY

PRESENT

The Hon'ble Mr.Justice B.PUGALENDHI

CRL OP (MD)No.11211 of 2021

Jeyasudha

... Petitioner/Sole Accused

Vs

The State Rep. by,
The Inspector of Police,
S.S.Kottai Police Station,
Sivagangai District.
(Crime No.120 of 2021).

... Respondent/Complainant

For Petitioner : Mr.R.Balamurugan, Advocate
For Respondent : Mr.P.Kottai Chamy,
Government Advocate (Crl.Side)

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

PRAYER :-

For Anticipatory Bail in Crime No.120 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, 355, 379 IPC in Crime No.120 of 2021, seeks anticipatory bail.

2.The case of the prosecution is that there was a property dispute between the petitioner and the defacto complainant. Due to that motive, the petitioner assaulted the defacto complainant with iron rod and broom stick and also abused him in filthy language. During the occurrence, the defacto complainant also lost his cell phone and a sum of Rs.5,000/-. Therefore, the present case came to be registered.

3.The learned counsel for the petitioner submitted that the petitioner is an innocent person and she has been falsely implicated in this case.



4.The learned Government Advocate(Crl.side) appearing for the respondent police submitted that due to property dispute, the petitioner abused and assaulted the defacto complainant. He further submitted that investigation is yet to be completed.

5.Considering the nature of allegations levelled against the petitioner and also the fact that there was a civil dispute between the parties, this Court is inclined to grant anticipatory bail to the petitioner.

6.Accordingly, this criminal original petition is allowed and 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, Singampunari, Sivagangai District, 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 learned Magistrate concerned and on further conditions 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 Aadhaar card or bank pass book to ensure their identity.

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

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

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

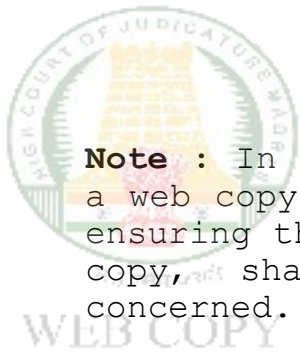
[e]On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the conditions have been imposed and the petitioner released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in **P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560]**.

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

sd/-
11/08/2021

/ 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,
SINGAMPUNARI, SIVAGANGAI DISTRICT.
2. DO-THROUGH : THE CHIEF JUDICIAL MAGISTRATE,
SIVAGANGAI DISTRICT.
3. THE INSPECTOR OF POLICE,
S.S. KOTTAI POLICE STATION,
SIVAGANGAI DISTRICT.
4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER

IN

CRL OP(MD) No.11211 of 2021

Date :11/08/2021

gns

USK/VR/SAR-III : 17/08/2021 : 3P/5C