



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

Tuesday, the Seventh day of December Two Thousand and Twenty One

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PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP (MD) No.18398 of 2021

PRAMLIA @ SAHAYA PRAMILA

... PETITIONER/ ACCUSED NO.3

Vs

THE STATE REP.BY,
THE INSPECTOR OF POLICE,
KODAIKKANAL POLICE STATION,
KODAIKKANAL,
DINDIGUL DISTRICT.
CR.NO. 671 OF 2021.

... RESPONDENT/ COMPLAINANT

For Petitioner : M/S.KANNAN M Advocate

For Respondent : M/S.R.MEENAKSHI SUNDARAM,
Additional Public Prosecutor

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

FOR ANTICIPATORY BAIL IN CRIME NO.671 OF 2021 ON THE FILE OF
THE RESPONDENT POLICE.

ORDER : The Court Made the following order :-

The petitioner/A3, who apprehends arrest at the hands of the respondent police for the alleged offence punishable under Sections 294(b), 323, 332, 324, 353, 506(ii) and 307 IPC in Crime No.671 of 2021, seeks anticipatory bail.

2.The case of the prosecution is that A1, who is the son of this petitioner, at the instigation of this petitioner/A3 and A2, attacked the police team, when they went to their house for enquiry and also caused injuries.

3.The learned counsel for the petitioner submitted that the petitioner is an innocent lady and she did not commit any offence as

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alleged by the prosecution. It is further submitted that even though A1 involved in the above said occurrence, all the family members have been roped including this petitioner being the mother of A1. Further, in this case, the co-accused namely A2/Sanjana @ Sangavi was released on bail by the Principal Sessions Judge, Dindigul, in Crl.M.P.No.4213 of 2021, dated 03.12.2021 on the ground that she was a pregnant lady.

4.Heard the learned Additional Public Prosecutor submitted appearing for the State.

5.The specific overact attributed against this petitioner/A3 is that at her instigation, A1 made assault upon the police team, who went to the resident of the petitioner, for arresting her son. The co-accused namely A2 has also been released on bail by the lower court. Against A1, detention order has been passed. Considering the limited overtact that has been attributed against this petitioner, being a lady, I am of the considered view that the anticipatory bail can be **granted** with certain conditions.

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, Dindigul on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees ten thousand only) each 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 respondent police once in a week at 10.30 am, 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 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 itself 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.

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sd/-
07/12/2021

/ TRUE COPY /

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

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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, DINDIGUL.

2.THE CHIEF JUDICIAL MAGISTRATE, DINDIGUL.

3.THE INSPECTOR OF POLICE
KODAIKKANAL POLICE STATION, KODAIKKANAL,
DINDIGUL DISTRICT.

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

+1 CC to M/s.M.KANNAN, Advocate (SR-8958[I] dated 08/12/2021)

ORDER
IN
CRL OP (MD) No.18398 of 2021
Date : 07/12/2021