



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 16/12/2021

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.20113 of 2021

Magudeshwari

... Petitioner/Accused
(Rank not Known)

Vs

State Rep.by
The Inspector of Police,
All Women Police Station,
Samayanallur.
(Crime No.33/2019).

... Respondent/Complainant

For Petitioner : M/s.Gokul.K,
Advocate.

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

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

PRAYER :-

For Anticipatory Bail in Crime No.33 of 2019 on the file of the respondent Police.

ORDER : The Court made the following order :-

The petitioner/Accused (Rank Not Known) who apprehends arrest at the hands of the respondent police for the offence punishable under sections 498(A), 494, 406 and 506(i) of IPC, in Crime No. 33 of 2019 on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that the defacto complainant and the first accused are the husband and wife and they have two children. When the defacto complainant alive, the first accused secondly married the petitioner herein. Hence, this complaint.

3.The learned counsel for the petitioner would submit that the petitioner is innocent and she has not committed any offence as alleged by the prosecution. Hence, he seeks anticipatory bail to the



4.The learned Government Advocate (Crl.Side) would submit that it is a matrimonial dispute between the defacto complainant and the first accused, who were husband and wife. The main allegation against this petitioner is that she married the first accused, when the defacto complainant is alive. After completion of investigation, final report was filed before the learned Judicial Magistrate, Vadipatti, on 10.02.2020 and it has not been taken on file so far. According to him, this petitioner is shown as absconding accused.

5.Considering the limited allegations against this petitioner, she is entitled for anticipatory bail since final report has been filed. Hence, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

6.Accordingly, this Criminal Original Petition is allowed and the petitioner is ordered to be released on bail, on executing a personal 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 Judicial Magistrate, Vadipatti, and on further condition that the petitioner shall report before the concerned Court on receipt of summon at 10.30 a.m. once in a week, until further orders. The petitioner shall comply with the condition stipulated under Section 438 Cr.P.C scrupulously.

sd/-
16/12/2021

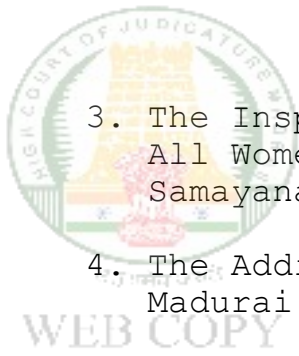
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/ /2021
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

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,
Vadipatti.
2. Do-Through The Chief Judicial Magistrate,
Madurai District.



3. The Inspector of Police,
All Women Police Station,
Samayanallur, Madurai.

4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

ORDER

IN

CRL OP(MD) No.20113 of 2021

Date :16/12/2021

RS/VR/SAR3(22.12.2021) 3P-5C