



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Friday, the First day of April Two Thousand Twenty Two

PRESENT

The Hon`ble Dr Justice G. JAYACHANDRAN

CRIMINAL ORIGINAL PETITION No.7574 of 2022

GEETHA

[PETITIONER / ACCUSED]

Vs

THE STATE REP BY
THE INSPECTOR OF POLICE,
T-13, KUNNATHUR POLICE STATION,
CHENNAI.
CRIME NO.213 OF 2022

[RESPONDENT]

For Petitioner : M/S.T.MURUGANANTHAM Advocate

For Respondent : M/S.S.SANTHOSH, Govt. Advocate (Crl. Side)

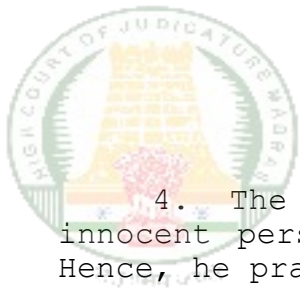
PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioner, who apprehends arrest for the alleged offences under Sections 294(b), 323, 506(i) of IPC and Section 4 of Women Harassment Act, in Crime No.213 of 2022 on the file of the respondent police, seeks anticipatory bail.

2. The petitioner herein apprehending arrest at the hands of the respondent police in view of the complaint given by one Anita for the alleged offence under Sections 294(b), 323, 506(i) of IPC and Section 4 of Women Harassment Act, in Crime No.213 of 2022, before this Court seeking anticipatory bail.

3. The case of the prosecution is that the petitioner and the defacto complainant are neighbours, due to money dispute, there arouse a verdict quarrel between them. As a result, the petitioner along with her husband have attacked the defacto complainant with an helmet, thereby causing injury. Hence, the complaint.



4. The learned counsel for the petitioner submits that she is an innocent person and she has been falsely implicated in this case. Hence, he prays for grant of anticipatory bail to the petitioner.

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5. The learned Government Advocate (Crl. Side) appearing for the respondent submits that the injured person has been discharged from the hospital. However, he opposed for the grant of anticipatory bail to the petitioner.

6. This Court gone through the FIR and the defence taken by the petitioner herein, since the major allegation is against her husband of this petitioner and now he is absconding, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

7. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on her appearance, within a period of seven days from the date of receipt of a copy of this order, before the learned Judicial Magistrate Court, Sriperumbudur on condition that the petitioner shall execute a bond for a sum of Rs.25,000/- (Rupees Twenty Five 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) if the petitioner failed to surrender before the concerned Magistrate within a period of 7 days from the date of receipt of a copy of this order, this order shall stand automatically cancelled;

(b) the petitioner and the sureties shall affix their photographs and left thumb impression in the surety bond and the Court concerned may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

(c) the petitioner shall report before the respondent police daily at 10.30 a.m., until further orders;

(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]; and;



(g) if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

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-sd/-

01/04/2022

This order, on being produced, be punctually observed and carried into execution by all concerned

TRUE COPY

Sub-Assistant Registrar (Statistics/C.S.)
High Court, Madras - 600 104.

TO

1 THE JUDICIAL MAGISTRATE,
SRIPERUMBUDUR.

2 THE CHIEF JUDICIAL MAGISTRATE
CHENGALPATTU. [FOR INFORMATION]

3 THE INSPECTOR OF POLICE,
T-13, KUNNATHUR POLICE STATION,
CHENNAI.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1 CC to M/S.T.MURUGANANTHAM Advocate on payment of necessary charges SR.NO. 5011

CRL OP.7574/2022

Date :01/04/2022

RW 05/04/2022