



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Friday, the Sixth day of May Two Thousand Twenty Two

PRESENT

The Hon`ble Mr Justice G. CHANDRASEKHARAN

CRIMINAL ORIGINAL PETITION No.10835 of 2022

GAYATHRI

[PETITIONER / ACCUSED]

Vs

THE STATE REP BY ITS,
THE SUB INSPECTOR OF POLICE,
GOMANGALAM POLICE STATION,
POLLACHI TALUK,
COIMBATORE DISTRICT
CRIME NO.141 OF 2022.

[RESPONDENT]

For Petitioner : M/S.N.UMAPATHI Advocate

For Respondent : MR.N.S.SUGANTHAN, Government 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), 324, 506(I) of IPC in Crime No.141 of 2022, on the file of the respondent police, seeks anticipatory bail.

2. It is seen from the submissions of the learned counsel for the parties that there is a civil allegation case pending between the parties and due to previous enmity, they fought with each other and a case and case in counter in Cr.Nos.141 and 142 of 2022 were registered. In the counter case, the defacto complainant is the first accused.

3. The learned Government Advocate (Crl. Side) appearing for the respondent admits that the injured person has been discharged from the hospital.



4. Considering the nature of the offence and the fact that this is a case that there is a counter case and the injured person has been discharged from the hospital, this Court is inclined to grant anticipatory bail to the petitioner subject to certain conditions.

5. 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 Judicial Magistrate No.II, Pollachi, 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 conditions that:

(a) the petitioner and the sureties shall affix his 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;

(b) the petitioner shall not tamper with evidence or witness either during investigation or trial;

(c) the petitioner shall report before the Investigating Officer as and when required.

(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 has 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;

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

-sd/-

06/05/2022

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,
NO.II, POLLACHI,
COIMBATORE DISTRICT.

2 THE CHIEF JUDICIAL MAGISTRATE
COIMBATORE DISTRICT. [FOR INFORMATION]

3 THE SUB INSPECTOR OF POLICE,
GOMANGALAM POLICE STATION,
POLLACHI TALUK,
COIMBATORE DISTRICT.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1 CC to M/S.N.UMAPATHI Advocate on payment of necessary charges
SR.NO. 6851

CRL OP.10835/2022

Date :06/05/2022

RW 10/05/2022