



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Wednesday, the First day of June Two Thousand Twenty Two

PRESENT

The Hon`ble Mr Justice B.PUGALENDHI

CRIMINAL ORIGINAL PETITION No.12460 of 2022

AND CRL.M.P.NO.6989 of 2022

MANIMEGALAI.K

[PETITIONER / ACCUSED]

Vs

STATE REP. BY
THE INSPECTOR OF POLICE
PENNADAM POLICE STATION,
CUDDALORE DISTRICT.
CRIME NO.452 OF 2022.

[RESPONDENT]

P.GOBI

[PETITIONER / INTERVENER
/ DEFACTO COMPLAINANT]

[ORDERED AS PER ORDER OF THIS COURT DATED 01/06/2022 IN
CRL.MP.6989/2022 IN CRL.O.P.NO.12460/2022]

For Petitioner : M/S. R.SUDHAKARAN Advocate

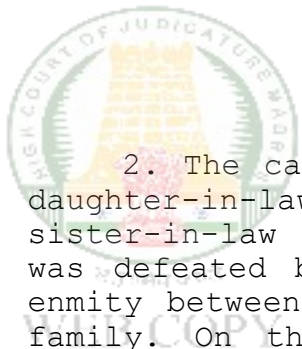
For Respondent : MR.A.GOKULAKRISHNAN, Additional public Prosecutor

For Intervenor : M/S.C.ARUN KUMAR, Advocate

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

ORDER : The Court Made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent Police, for the offence punishable under Sections 147, 148, 294(a), 323, 324, 506(2), 302 IPC, in Crime.No.452 of 2022, seeks anticipatory bail.



2. The case of the prosecution is that the petitioner/A5 is the daughter-in-law of A1 and Wife of A2. The defacto complainant's sister-in-law contested the Village Panchayat President election and was defeated by the petitioner herein. Due to the same, there was enmity between the petitioner's family and the defacto complainant's family. On the date of occurrence, the petitioner and the other accused assaulted the defacto complainant and his family members by using wooden log, iron pipe and knife and thereby caused the death of the defacto complainant's father. Hence, the complaint.

3. The learned counsel appearing for the petitioner submitted that since the petitioner was elected as a President in the Pennadam panchayat election, the defacto complainant and his family members are not in a position to accept the victory and decided to remove her from the President post and foisted a false complaint and implicated the petitioner as accused. He further submitted that the overtact against the petitioner is that the petitioner was present along with other accused and instigated the other accused to assault Sangeetha, wife of the defacto complainant. Hence, he prayed for grant of anticipatory bail.

4. The learned Additional Public Prosecutor appearing for the respondent submits that the petitioner and the other accused assaulted the defacto complainant and his family members by using wooden log, iron pipe and knife and caused the death of the defacto complainant's father. Hence, he vehemently opposed for grant of anticipatory bail.

5. Considering the nature of allegation that the petitioner instigated the other accused to commit the offence and also considering her gender, 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 their appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the Judicial Magistrate, Thitakudi, on condition that the petitioner shall execute a bond for a sum of Rs.25,000/- (Rupees Twenty Five thousand only) each, with two sureties each for a like sum to the satisfaction of the learned Judge 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 Superintendent of police, Town Police Station, Cuddalore, 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 petitioners in accordance with law as if the conditions have been imposed and the petitioners 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 absconds, a fresh FIR can be registered under Section 229-A IPC.

-sd/-

01/06/2022

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,
THITAKUDI

2 THE CHIEF JUDICIAL MAGISTRATE
CUDDALORE [FOR INFORMATION]

3 THE INSPECTOR OF POLICE
PENNADAM POLICE STATION,
CUDDALORE DISTRICT.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

5 THE SUPERINTENDENT OF POLICE
TOWN POLICE STATION,
CUDDALORE

+1 CC to M/S. R.SUDHAKARAN Advocate on payment of necessary charges SR.NO.8351

CRL OP.12460/2022
AND CRL.M.P.No6989/2022

Date :01/06/2022

JPA 03/06/2022