



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 03/02/2022

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PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD) . No.1560 of 2022

Kalpana

... Petitioner/Accused

Vs

State rep.by

The Sub Inpsector of Police,
Sethur Rural Police Station, (OP),
Virudhunagar District.
(Crime No.191 of 2021).

... Respondent/Complainant

For Petitioner : M/s.Balaji.A., Advocate.

For Respondent : M/s.S.S.Madhavan,
Government Advocate (Crl.Side)

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

PRAYER :-

For Anticipatory Bail in Crime No. 191 of 2021 on the file of the respondent Police.

ORDER : The Court made the following order :-

The petitioner/Accused No.3, apprehending arrest at the hands of the respondent police for the alleged offence punishable under Sections 294(b), 323, 324, 506(ii) IPC r/w 4 of Tamilnadu Prohibition of Harassment of Women Act @ 307 IPC, in Crime No.191 of 2021 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that accused No.1 created a pathway in the defacto complainant's land. When the same was questioned by the defacto complainant accused No.1 along with other accused persons attacked the defacto complainant with wooden log, threatened with dire consequences. A1 and A2 were arrested and remanded into judicial custody.

3. The learned counsel for the petitioner submitted that the petitioner is innocent and he has been falsely implicated in this case. The defacto complainant attacked the petitioner parties.



4. The learned Government Advocate (Crl. Side) for the respondent police submitted that there is a civil dispute between the parties. The injured discharged from the hospital.

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5. Considering the nature of offence, the injured person has been discharged from the hospital and the major portion of the investigation might have been over by this time, this Court is inclined to grant anticipatory bail to the petitioner.

6. Accordingly, this Criminal Original Petition is allowed and petitioner is ordered to be released on bail in the event of arrest or on her appearance, before the learned Judicial Magistrate, Rajapalayam, on condition that the petitioner shall execute a 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 Magistrate concerned and the petitioner shall appear before the respondent police once in fifteen days at 10.30 a.m. until further orders. The petitioner shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously.

7. The petitioner shall appear before the concerned Magistrate within a period of 15 days from the date on which the order copy made ready, failing which, the petition for anticipatory bail stands dismissed.

Sd/-
03/02/2022

/ TRUE COPY /

/ /2022
Sub-Assistant Registrar (C.S.II.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TM

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,
RAJAPALAYAM.
2. -DO-THROUGH
THE CHIEF JUDICIAL MAGISTRATE,
VIRUTHUNAGAR DISTRICT.
3. THE SUB INPSECTOR OF POLICE,
SETHUR RURAL POLICE STATION, (OP),
VIRUDHUNAGAR DISTRICT.
4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
CRL OP(MD) No.1560 of 2022
Date :03/02/2022

SP/SBN/SAR II/10/02/2022/3P/5C