



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 03/02/2022

WEB COPY

PRESENT

The Hon'ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.1854 of 2022

Maria Antony Testonis Maria Aloysious

... Petitioner/Accused No.I

Vs

The State Rep.by

The Sub Inspector of Police,
Thangachimadam Police Station,
Thangachimadam,
Ramanathapuram District.
(Crime No.12/2022).

... Respondent/Complainant

For Petitioner : M/s.R.Subburaj
Advocate.

For Respondent : S.Manikandan,
Government Advocate (Crl.Side)

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

PRAYER :-

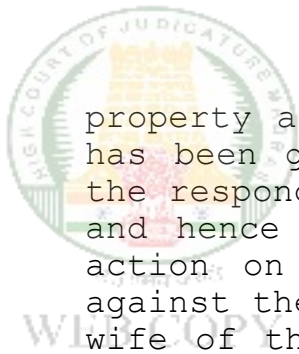
For Anticipatory Bail in Crime No.12/2022 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/Sole Accused, apprehending arrest at the hands of the respondent police for the alleged offence punishable under Sections 294(b), 447, 323 and 506(i) of IPC and Section 4 of Women Harassment Act in Crime No.12 of 2022 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that a trouble arose between the petitioner and the defacto complainant regarding cutting of Palm Trees in the petitioner's son-in-law's land.

3.The learned counsel for the petitioner submitted that one <https://hcmca.courts.gov.in/> entered into the petitioner's son-in-law's



property and cut down the palm trees illegally. Hence a complaint has been given by the petitioner. The Sub-Inspector of Police in the respondent police station is a close relative of the said Thomas and hence he has threatened the petitioner and has not taken any action on the petitioner's complaint. Instead of taking action against the Thomas, the Inspector of Police got a complaint from the wife of the brother-in-law of the said Thomas and foisted a false case against the petitioner. He has also submitted typed set of papers and those things can be taken for consideration only in the course of trial.

4. The learned Government Advocate (Crl. Side) for the respondent police submitted that it is a matter for investigation. No previous case has been pending against the petitioner and the injured has been discharged from the hospital.

5. Considering the nature of offence and the fact that the injured has been discharged and no previous case is pending against the petitioner, 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 his appearance, before the learned Judicial Magistrate, Rameswaram, 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 learned Judicial Magistrate, Rameswaram once in a month 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.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

pnn

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



TO

1.THE JUDICIAL MAGISTRATE, RAMESWARAM.

2.THE CHIEF JUDICIAL MAGISTRATE,
RAMANATHAPURAM DISTRICT.

3.THE THE SUB INSPECTOR OF POLICE,
THANGACHIMADAM POLICE STATION,
THANGACHIMADAM,
RAMANATHAPURAM DISTRICT.

4.THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.R.SUBBURAJ, Advocate (SR-750[I] dated 04/02/2022)

ORDER

IN

CRL OP(MD) No.1854 of 2022

Date :03/02/2022

RD/JM/SAR-III (11.02.2022) 3P 6C