



WEB COPY



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 24/06/2022

PRESENT

The Hon`ble Mr.Justice G.ILANGOVAN

CRL OP(MD) . No.9746 of 2022

1. Josephine Selvarani
2. James

... Petitioners/Accused
Nos.4 & 5

Vs

State rep.by
The Inspector of Police,
All Women Police Station,
Devakottai,
Sivagangai District.
(Crime No.1 of 2022).

... Respondent/Complainant

For Petitioners : M/s.Anandkumar J, Advocate.

For Respondent : Mr.Anbunithi,
Government Advocate (Crl.Side)

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

PRAYER :-

C-24AB. For Anticipatory Bail in Crime No.1 of 2022 on the file of the respondent Police.

ORDER : The Court made the following order :-

The petitioners/Accused Nos.4 and 5, apprehending arrest at the hands of the respondent police for the alleged offence punishable under Sections 294(b), 323, 498(A), 420 IPC and Section 4 of Tamil Nadu Prevention of Women Harassment Act, in Crime No.1 of 2022 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that due to wordy quarrel, the petitioners and other accused have assaulted the defacto complainant and abused her in filthy language. Hence, the complaint.



3. The learned counsel appearing for the petitioners submitted that A2 and A3 have already been granted anticipatory bail by this Court in CrI.O.P(MD).No. 4056 of 2022 in the presence of the defacto complainant. Insofar as the A1 is concerned, the said petition was dismissed. He would further submit that 1st petitioner herein / A4 is the sister in law and the 2nd petitioner herein / A5 is husband of the 4th petitioner and they are no way connected with the case and seeks anticipatory bail.

4. Considering the facts and circumstances of the case and also considering the fact that, the 1st petitioner is sister-in-law and the 2nd petitioner is the husband of the 1st petitioner and that the co-accused has already been granted anticipatory bail by this Court in CrI.O.P(MD).No. 4056 of 2022, this Court is inclined to grant anticipatory bail to the petitioners.

5. Accordingly, this Criminal Original Petition is allowed and the petitioners are ordered to be released on bail in the event of arrest or on their appearance, before the learned Judicial Magistrate, Devakottai, Sivagangai District on condition that the petitioners shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each with two sureties each for a like sum to the satisfaction of the learned Magistrate concerned and the petitioners shall appear before the respondent police as and when required for interrogation. The petitioners shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously.

6. The petitioners 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/-
24/06/2022

/ TRUE COPY /

/07/2022
Sub-Assistant Registrar (C.S.II)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TRP

TO

1. THE JUDICIAL MAGISTRATE,
DEVAKOTTAI, SIVAGANGAI DISTRICT.



2. -DO-THROUGH
THE CHIEF JUDICIAL MAGISTRATE,
SIVAGANGAI DISTRICT.

WEB COPY

3. THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
DEVAKOTTAI,
SIVAGANGAI DISTRICT.

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

+1. CC to M/S.ANANDKUMAR J Advocate SR.No.28130

ORDER
IN
CRL OP(MD) No.9746 of 2022
Date :24/06/2022

SP/SVR/SAR II/01/07/2022/3P/6C