



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Date : 06/10/2022

PRESENT

The Hon`ble Mrs.Justice T.V.THAMILSELVI

CRL OP(MD). No.17839 of 2022

Lavanya,

... Petitioner/Accused No.2

Vs

State Rep.by
The Inspector of Police,
Theppaukulam Police Station,
Madurai City.
(Crime No. 507 of 2022).

... Respondent/Complainant

For Petitioner : Mr.K.Sathish Kumar, Advocate.

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

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

PRAYER :-

For Anticipatory Bail in Crime No. 507 of 2022 on the file
of the respondent Police.

ORDER : The Court made the following order :-

The petitioner/ 2nd accused, who apprehends arrest at the hands
of the respondent police for the alleged offences punishable under
Sections 294(b), 323, 324 and 506(ii) of IPC, in Crime No.507 of
2022, seeks anticipatory bail.

2.The case of the prosecution is that there is a property
dispute pending between the parties with regard to partition, due to
which, on 28.09.2022, the accused persons abused the defacto
complainant in filthy language, attacked him with pipe and also
threatened him with dire consequences. Hence, the complaint.

3.The learned counsel for the petitioner would submit that the
defacto complainant is none other than brother of the first accused
and the petitioner is the wife of the first accused. He would
further submit that the first accused has been released on bail and
the petitioner is an innocent person and she has not committed any
offence as alleged by the prosecution.

4.The learned Government Advocate(Crl.side) appearing for the
respondent police submitted that the investigation is almost



5. Considering the facts and circumstances of the case and the nature of allegation levelled against the petitioner, this Court is inclined to grant anticipatory bail to the petitioner.

6. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate No.I, Madurai, 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 learned Magistrate 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 learned Magistrate may obtain a copy of their Aadhaar card or bank pass book to ensure their identity;

(b) the petitioner shall report before the respondent police **once in a week i.e., on every Wednesday at 10.30 a.m.**, for a period of four weeks, and thereafter, as and when required for interrogation.

(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 petitioner in accordance with law as if the conditions have 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 / petitioner thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

sd/-

06/10/2022

/ TRUE COPY /

/10/2022

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

cp

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.

<https://www.mhc.tn.gov.in/judis>



TO

1 THE JUDICIAL MAGISTRATE NO.I,
MADURAI.

2 DO THROUGH:
THE CHIEF JUDICIAL MAGISTRATE,
MADURAI DISTRICT.

3 THE INSPECTOR OF POLICE
THEPPAUKULAM POLICE STATION,
MADURAI CITY

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

+1 CC to M/s.K.SATHISH KUMAR, Advocate (SR-11154[I] dated 10/10/2022

ORDER

IN

CRL OP(MD) No.17839 of 2022

Date :06/10/2022

PKP/GB/SAR /10.10.2022/3P/6C