



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.17838 of 2022

WEB COPY

Sundari

... Petitioner/Accused No.2

Vs

The State Rep.by
The Inspector of Police,
Keelasevalpatti Police Station,
Sivagangai District.
Crime No.50 of 2022.

... Respondent/Complainant

For Petitioner : Mr.Paranjothi R,
Advocate.

For Respondent : Mr.M.Sakthi Kumar,
Government Advocate (Crl.Side)

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

PRAYER :-

For Anticipatory bail in Crime No.50 of 2022 on the file of the
Respondent Police

ORDER : The Court made the following order :-

The petitioner, who apprehends arrest at the hands of the
respondent police for the alleged offence punishable under Sections
294(b) and 323 of IPC and Section 4 of TN Prohibition of Harassment
of Women Act, in Crime No.50 of 2022, seeks anticipatory bail.

2.The case of the prosecution is that when the petitioner and
other accused trespassed into the property of the defacto
complainant for grassing purpose, the defacto complainant questioned
them. At that time, the accused attacked him and scolded him.
Hence, the complaint.

3.The learned counsel for the petitioner submitted that due to
civil dispute, a false complaint has been lodged against the
petitioner and the petitioner had not committed any offence as
alleged in the FIR.

4.The learned Government Advocate (Crl.side) appearing for the
respondent police submitted that the petitioner and defacto



complainant are neighbours and the investigation is completed.

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, this criminal original petition is allowed and the petitioner is ordered to be released on bail in the event of arrest or on her appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate, Thiruppathur, 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 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 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]**.

sd/-
06/10/2022

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/10/2022

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

IAS



TO

1. The Judicial Magistrate,
Thiruppathur.
2. -do-Through The Chief Judicial Magistrate,
Sivagangai District.
3. The Inspector of Police,
Keelasevalpatti Police Station,
Sivagangai District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

ORDER

IN

CRL OP(MD) No.17838 of 2022

Date :06/10/2022

RD/SVR(11/10/2022) 3P 5C