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CRL OP(MD). N



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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.17946 of 2022

Rameena ... Petitioner/Accused Rank not known

Vs

The State Rep.by
The Inspector of Police,
Pattukottai Taluk Police Station,
Thanjavur District.
(Crime No.385 of 2022).

... Respondent/Complainant

For Petitioner : M/s.Jegadeesh Pandian.M,
Advocate

For Respondent : Mr.D.Nambi Selvan,
Additional Public Prosecutor

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

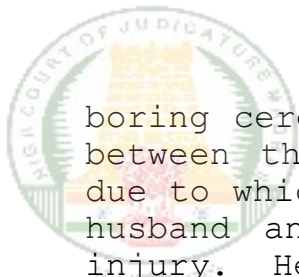
PRAYER :-

For Anticipatory Bail in Crime No.385 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 offences punishable under Sections
147, 148, 341, 294(b), 324, 506(ii), 307, 302, 114 and 352 of IPC
r/w Section 4 of TNPWH Act in Crime No.385 of 2022, seeks
anticipatory bail.

2. The case of the prosecution is that the defacto complainant
along with her husband Karthi and his relatives went to Veeranar
Alathur Village, Pattukottai Taluk for attending ear



boring ceremony of her sister-in-law. At that time, a quarrel between the defacto complainant's family and the accused persons, due to which, the accused persons attacked the defacto complainant's husband and four other persons and they were sustained grievous injury. Hence, the complaint.

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3. The learned counsel for the petitioner submitted that the petitioner is a lady and there is no motive between the defacto complainant's family and the petitioner. She is an innocent person and she did not commit any offence as alleged by the prosecution.

4. The learned Government Advocate(crl.side) appearing for the respondent police submitted that the accused Nos.1 to 9, 11 and 12 were detained under Act, 14. Based on the confession statement of the co-accused, this petitioner is implicated in this case. The allegation against the petitioner is that she attacked the defacto complainant's family with coconut shell.

5. Considering the facts and circumstances and the fact that there existed wordy quarrel between the parties and also considering 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 his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate, Pattukottai, Thanjavur District 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:

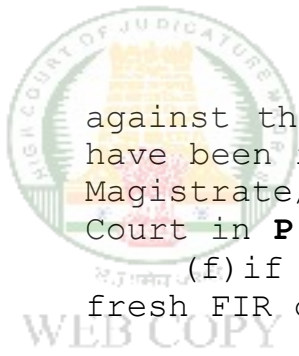
[a] the petitioner and the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate may obtain a copy of their Aadhaar card or bank pass book to ensure their identity.

[b] the petitioner shall report before the respondent police on every Saturday at 10.30 a.m., for a period of three months 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]**.

(f)if the accused/ petitioners 2 to 4 thereafter abscond, a fresh FIR can be registered under Section 229-A IPC.

sd/-

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

BTR/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.

TO

1. The Judicial Magistrate,
Pattukottai,
Thanjavur District.
2. -do-Through The Chief Judicial Magistrate,
Thanjavur at Kumbakonam.
3. The Inspector of Police,
Pattukottai Taluk Police Station,
Thanjavur District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1 CC to M/s.M.JEGADEESH PANDIAN, Advocate (SR-11164[I] dated 10/10/2022)

ORDER

IN

CRL OP(MD) No.17946 of 2022

Date :06/10/2022

RD/SVR (11/10/2022) 3P 6C