



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

Date : 04.05.2023

PRESENT

The Hon`ble Mrs.Justice R.THARANI

CRL OP(MD). No.8563 of 2023

WEB COPY

Savariyammal

... Petitioner/Accused Rank Not Known

Vs.

State rep., by
The Inspector of Police,
Aranthangi Police Station,
Aranthangi,
Pudukkottai District.
(Crime No.214/2023).

... Respondent/Complainant

For Petitioner : Mr.V.Selvakumar, Advocate
For Respondent : Mrs.M.Aasha
Government Advocate (Crl.Side)

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

PRAYER :-

For Anticipatory Bail in Crime No.214 of 2023 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner apprehending arrest at the hands of the respondent police for the offences punishable under Sections 294(b), 324 and 506(ii) of IPC, in Crime No. 214 of 2023 on the file of the respondent police, seek anticipatory bail.

2. The allegation against the petitioner is that on 18.04.2023 at about 09.00 am., the accused persons including the petitioner rushed to the house of defacto complainant and called him to live with the first accused and when the same was refused by him, all the accused persons abused the defacto complainant using filthy language and also attacked him and when the same was questioned by his second wife, she also got injuries. Hence, the case.

3. On the side of the petitioner, it is stated that this is the case and case in counter. The defacto complainant and his second wife attacked the first petitioner and her sister/the petitioner herein and in this regard, a case was lodged against them, but no action was taken. Thereafter, the present case has been lodged. Further submitted that the petitioner is innocent and she is no way connected in the offence as alleged by the prosecution and prayed the petitioner to be released on anticipatory bail.



4. On the side of the prosecution, it is stated that the named accused and seven unnamed accused are involved in this case and there was a family dispute between the parties. Further submitted that injured has been discharged from the hospital on 22.04.2023.

WEB COPY

5. Considering the nature of the offence and considering the fact that the injured was already discharged from the hospital, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

6. Accordingly, this petition is allowed and the petitioner is ordered to be released on bail in the event of arrest or her appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate, Aranthangi, 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 respondent Police or to the Police Officer, who intends to arrest or 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 Aadhar card or Bank pass Book to ensure their identity;

(b) the petitioner shall report before the respondent police daily at 10.30 am., for a period of four weeks and thereafter, as and when required for interrogation;

(c) the petitioner shall not tamper with 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 thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

sd/-

04/05/2023

/ TRUE COPY /

/05/2023

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

rmk



To

1 THE JUDICIAL MAGISTRATE, ARANTHANGI.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, PUDUKOTTAI DISTRICT.

3 THE INSPECTOR OF POLICE, ARANTHANGI POLICE STATION, ARANTHANGI,
PUDUKOTTAI DISTRICT.

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

ORDER

IN

CRL OP(MD) No.8563 of 2023

Date :04/05/2023

RS/VR/SAR-4(08.05.2023) 3P 5C