



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 18/05/2023

WEB COPY

PRESENT

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

CRL OP(MD) . No.8937 of 2023

1. Raveendran @ Ravindran,
(Wrongly Mentioned as Raveendran in
Crime No.28 of 2023 Instead of
Ravindran)

2. Rajamani

... Petitioners/Accused 1 & 2

Vs

1. State Rep.by
The Inspector of Police,
All Women Police Station,
Thallakulam, Madurai City.
Crime No.28 of 2023.

... 1st Respondent/Complainant

2. Jeyakeerthi

... 2nd Respondent/Defacto Complainant

For Petitioners : M/s.Vanchi Nathan.S, Advocate.

For Respondent-1 : Mr.A.Albert James,
Government Advocate (Crl.Side)

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

PRAYER :-

For Anticipatory Bail in Crime No.28 of 2023 on the file of the
Respondent Police,

ORDER : The Court made the following order :-

The petitioners, who apprehend arrest at the hands of the
respondent police for the alleged offences punishable under Sections
498(A) and 506(i) of IPC, in Crime No.28 of 2023 on the file of the
respondent police, seek anticipatory bail.

2.The case of the prosecution is that the petitioners are
arrayed A-1 & A-2. The second petitioner/A-2 is mother of first
petitioner/A-1. The defacto complainant is wife of A-1 and the main
allegation against the petitioner is suppressing the facts of mental
illness. On compulsion of A-1, the defacto complainant cuts her
nails on 03.03.2023. Hence, the complaint.



3.The learned counsel for the petitioners would submit that the petitioners are innocent persons and they have not committed any offence as alleged by the prosecution. He would further submit that matrimonial dispute is pending between the parties. Hence, he prays for grant of anticipatory bail to the petitioners.

4.The learned Government Advocate (Crl.Side) would submit that matrimonial dispute is pending between the parties.

5. Considering the facts and circumstances of the case and also considering the age of the second petitioner/A-2, this Court is inclined to grant anticipatory bail to A-2 on certain conditions and this Court is not inclined to grant anticipatory bail to A-1.

6.Accordingly, this petition is partly allowed and A-2 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-II, Madurai, on condition that the petitioner shall execute a bond for a sum of **Rs.10,000/- (Rupees Ten Thousand only)**, 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) considering the age of the petitioner, she 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 herself 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/-

18/05/2023

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/05/2023

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

KSA

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



TO

1 THE JUDICIAL MAGISTRATE NO.II, MADURAI

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

3 THE INSPECTOR OF POLICE, ALL WOMEN POLICE STATION, THALLAKULAM,
MADURAI CITY.

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

+1 CC to M/s.S.VANCHI NATHAN, Advocate (SR-7526[I] dated 18/05/2023)

ORDER

IN

CRL OP(MD) No.8937 of 2023

Date :18/05/2023

RS//SAR-(24.05.2023) 3P 6C