



WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 04/09/2023

PRESENT

The Hon`ble Mr.Justice G.ILANGOVAN

CRL OP(MD). No.15111 of 2023

G.Reena Selvakumari @ Reena

... Petitioner/ Accused No.2

Vs

The Inspector of Police,
Tirunelveli Junction Police Station,
Tirunelveli City.
Cr.No.473 of 2023.

... Respondent/Complainant

Anupraveen

... Petitioner/Defacto Complainant
in CRL MP(MD)No.12441 of 2023

For Petitioner : M/s.N.Pragalathan
Advocate.

For Respondent : Mr.B.Nambiselvan
Additional Public Prosecutor

For Intervener : Mr.K.Jeyamohan, Advocate

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

PRAYER :-

For Anticipatory Bail in Crime No.473 of 2023 on the file of the Respondent police.



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ORDER : The Court made the following order :-

The petitioners/ Accused apprehends arrest at the hands of the respondent police for the offences under Sections 294(b), 324, 307 and 506(ii) of IPC in Crime No.473 of 2023, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that a previous dispute over a parking of vehicles is pending between the petitioner and the defacto complainant's mother-in-law. The petitioner is running a nursery school. On 11.08.2023, a wordy quarrel arose with regard to parking of vehicle, between the parties. At that time, the petitioner's driver attacked the defacto complainant with iron rod. Hence the complaint.

3. The learned counsel for the petitioner submitted that the petitioner is an innocent, she has been falsely implicated in this case and she has not committed any offence as alleged by the prosecution.

4. The learned Additional Public Prosecutor would submit that injured in this case has been discharged from the hospital. The allegation against this petitioner is that she has shown the weapon and snatched the mobile phone from the defacto complainant.



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5. Learned counsel for the intervener would submit that severe injury has been suffered by the defacto complainant admitted in two private hospitals for treatment, discharged later and took treatment as out patient. Only at the instigation of the petitioner, the attack was made by the co-accused. The co-accused is still in custody.

6. Reading of the FIR shows that that over a petty issue of parking of vehicle in front of the defacto complainant's house, a trouble has arisen between the accused persons and the defacto complainant.

7. Considering the facts and circumstances of this case and also the fact that the injured has been discharged from the hospital, this Court is inclined to grant relief to the petitioner.

8. 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, before the learned Judicial Magistrate No.4, Tirunelveli, on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each with two sureties each for a like sum to the satisfaction of the learned Magistrate concerned and the petitioner shall appear before the respondent police daily at 10.30 a.m., until further orders. The petitioner shall comply with the condition stipulated under Section 438 of Cr.P.C., scrupulously.



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7. The petitioner shall appear before the concerned Magistrate within a period of 15 days from the date on which the order copy is made ready, failing which, the petition for anticipatory bail will stand dismissed.

sd/-
04/09/2023

/ TRUE COPY /

/09/2023
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

PNN

TO

- 1 THE JUDICIAL MAGISTRATE NO.4
TIRUNELVELI.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
TIRUNELVELI.
- 3 THE INSPECTOR OF POLICE
TIRUNELVELI JUNCTION POLICE STATION,
TIRUNELVELI CITY.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.



WEB COUNCIL +1 CC to M/s.N.PRAGALATHAN, Advocate (SR-13201[I] dated 05/09/2023)

ORDER
IN
CRL OP(MD) No.15111 of 2023
Date :04/09/2023

SS/VRS/13/09/2023/5P/6C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17/07/2023