



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 02/01/2023

WEB COPY

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.17358 of 2022

Indra @ Indira,

... Petitioner/Accused No.3

Vs

1. The Inspector of Police,
Samayanallur Police Station, Madurai District.
Crime No. 145 of 2022.

2. Rajapandian,
(R2 is Suo Motu
Impleaded as Per Order of the Court
Dated 07/11/2022 in CRL.OP(MD).17358/2022

... Respondents/Complainants

For Petitioner : M/s.Malai Raja.J,
Advocate.

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

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

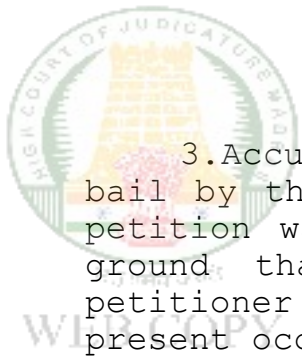
PRAYER :-

For Anticipatory Bail in Crime No.145 of 2022 on the file
of the respondent Police.

ORDER : The Court made the following order :-

The petitioner/Accused No.3, apprehending arrest at the hands
of the respondent police for the alleged offence punishable under
Sections 147,341, 294(b) and 506(i) of I.P.C, in Crime No.145 of
2022 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that as per the defacto
complainant's version, is that on 09.07.2022 on the eve of his
mother's death, when he was returning to his house in a two wheeler,
at that time the accused person at about 4.00 p.m. gathered and
abused him and also criminally intimidated, over which the present
case has been registered.



3. Accused persons 1, 2 and 4 were already granted anticipatory bail by this Court. This petitioner is Accused No.3. The earlier petition was dismissed in respect of this petitioner alone on the ground that after obtaining bail in an earlier matter, the petitioner along with some other accused person involved in the present occurrence.

4. The matter was already referred to the Mediation Centre for settlement. It was found that it is a dispute between the step mother, who is the petitioner herein and the defacto complainant. The defacto complainant also appeared before this Court on 28.11.2022. I advised him to settle the issue. But he has submitted that because of the above said property issue continuous trouble has been made by the petitioner. Even though the matter was referred to the Mediation Centre, the defacto complainant did not appear before the Mediation Centre. The petitioner alone appeared before them.

5. Considering the fact that the petitioner is aged about 60 years and also considering the fact that the second respondent is not co-operating for the Mediation process, this Court is inclined to grant anticipatory bail to the petitioner.

6. Accordingly, this Criminal Original Petition is allowed and petitioner is ordered to be released on bail in the event of arrest or on her appearance, before the learned Judicial Magistrate, Vadipatti, Madurai District, 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 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 Cr.P.C. scrupulously.

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

sd/-
02/01/2023

/ TRUE COPY /

/01/2023

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

TM



TO

1. The Judicial Magistrate, Vadipatti,
Madurai District.
 2. Do-Through The Chief Judicial Magistrate,
Madurai District.
 3. The Inspector of Police,
Samayanallur Police Station, Madurai District.
 4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.
- +1 CC to M/s.MALAI RAJA.J, Advocate (SR-18[I] dated 02/01/2023)

ORDER
IN
CRL OP(MD) No.17358 of 2022
Date : 02/01/2023

TR/BUC/SAR-III (11.01.2023) 3P 6C