



WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 01.09.2023

PRESENT

The Hon`ble Mr.Justice P. DHANABAL

CRL OP(MD)No.15932 of 2023

M.Neethi Devan

... Petitioner/ Accused

Vs

The State represented by
The Inspector of Police,
All Women Police Station,
Melur, Madurai District.
Crime No.23 of 2023

... Respondent

For Petitioner : Mr.R.Murali, Advocate

For Respondent : Mr.B.Nambiselvan,
Additional Public Prosecutor

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

PRAYER :-

For Anticipatory Bail in Crime No.23 of 2023 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 offences punishable under Sections 498(A), 323, 506(i) IPC and Section 4 of DP Act in Crime No.23 of 2023 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner and the defacto complainant are husband and wife. Due to matrimonial dispute, the petitioner assaulted the defacto complainant. Hence the case.

3.The learned counsel for the petitioner would contend that the petitioner is an innocent person and he has been falsely implicated in this case.

4.The learned Additional Public Prosecutor would submit that due to matrimonial dispute, the accused person assaulted the defacto complainant. Investigation in this case is pending.

5.Heard both side and perused the materials available on record.

6.Considering the rival submissions on either side and considering the relationship between the parties and also considering all other aspects, this Court is inclined to grant anticipatory bail to the petitioner, subject to the following conditions:

7.Accordingly, 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 on which the order copy made ready, before the Judicial Magistrate Court, Melur 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 on further condition that:

[a] the petitioner shall report before the respondent police daily at 10.30 a.m., for a period of thirty days and thereafter as and when required for interrogation.

[b] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[c] the petitioner shall not abscond either during investigation or trial.

[d] 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].

[e] If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

sd/-
01/09/2023

/ TRUE COPY /

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



WTO COPY

- 1 THE JUDICIAL MAGISTRATE
MELUR.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
MADURAI.
- 3 THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION, MELUR,
MADURAI DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

+1 CC to M/s.R.MURALI, Advocate (SR-13124[I] dated 04/09/2023)

ORDER
IN
CRL OP(MD) No.15932 of 2023
Date :01/09/2023

SS/JGB/11/09/2023/4P/6C

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