



CRL OP(MD). No.17355 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 27/09/2023

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.17355 of 2023

Kusalakumari,

... Petitioner/ Accused No.2

Vs

State rep. by
The Inspector of Police,
Moolakaraipatti Police Station,
Tirunelveli District.
Crime No.176 of 2023.

... Respondent/Complainant

For Petitioner : Mr.Susi Kumar C,
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.176 of 2023 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/Accused No.2, apprehending arrest at the hands of the respondent police for the alleged offence punishable under Sections 294(b), 323, 307,



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506(ii) of IPC and Section 4 of Tamil Nadu Prohibition of Harassment of Woman Act,
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on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that on 10.09.2023 at about 08.00 p.m., the defacto complainant went to take drinking water from the common pipe. At that time, the petitioner abused and picked up quarrel with her. The first accused dashed her daughter with his bike. Thereby, the defacto complainant and her daughter sustained injuries. He also tried to assault her with knife. Hence, the complaint.

3.The learned counsel for the petitioner submitted that the petitioner is innocent and she has been falsely implicated in this case.

4.From the perusal of the FIR, it is seen that the accused person tried to hit the daughter of the defacto complainant. Even though the learned counsel for the petitioner would submit that so far as this petitioner is concerned, she alleged to have abused the defacto complainant and her daughter and except this, there is no specific overt act attributed against the petitioner, reading of the FIR does not indicate the same. It appears that both the accused persons alleged to have committed the above said offence. Considering the health condition of the daughter of the defacto



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complainant and the manner in which the aforesaid occurrence said to have been committed, this Court is of the view that the petitioner is not entitled for any relief at this stage.

5. Accordingly, this criminal original petition stands dismissed.

sd/-
27/09/2023

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/11/2023
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

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To

1. The Inspector of Police,
Moolakaraipatti Police Station,
Tirunelveli District.
2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

ORDER
IN
CRL OP(MD) No.17355 of 2023
Date :27/09/2023

RK/DD/01.11.2023/3P/3C

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