



CRL OP(MD). No.20456 of 2023

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 10/11/2023

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.20456 of 2023

Kusalakumari

... Petitioner/ Accused No.2

Vs

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

... Respondent/ Complainant

For Petitioner : C. Susikumar,
Advocate.

For Respondent : Mr.R.M.Anbunithi,
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.



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ORDER : The Court made the following order :-

This is the second anticipatory bail application. 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 and 506(ii) of IPC and Section 4 of Tamil Nadu Prohibition of Harassment of Woman Act, 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 appearing for the petitioner submitted that the petitioner is an innocent person and she has been falsely implicated in this case. He further submitted that A1 was arrested and released on bail by the concerned Court.



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4.The learned Additional Public Prosecutor (Crl. Side) submitted that the petitioner and other accused said to have assaulted the pregnant lady.

5.Considering the limited role alleged to have played by the petitioner and also the fact that A1 was arrested and released on bail, 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, Nanguneri, 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.



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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 made ready, failing which, the petition for anticipatory bail stands dismissed.

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10/11/2023

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

VSG

TO

1.THE JUDICIAL MAGISTRATE,
NANGUNERI.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
TIRUNELVELI.

3.THE INSPECTOR OF POLICE,
MOOLAKARAIPATTI POLICE STATION,
TIRUNELVELI DISTRICT.

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



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ORDER
IN
CRL OP(MD) No.20456 of 2023
Date :10/11/2023

RK/DD (23/11/2023) 5P / 5C

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