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Crl.O.P.No.12155 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.05.2024

CORAM

THE HON'BLE MR. JUSTICE **R.SAKTHIVEL**

Crl.O.P.No.12155 of 2024

Sujatha
W/o.Nandhakumar

... Petitioner/
Accused

Vs.

The State rep. by
The Inspector of Police,
Thudialur Police Station,
Coimbatore District.
(Crime No.180 of 2024)

...Respondent/
Complainant

PRAYER: The Criminal Original Petition filed under Section 438 of the Criminal Procedure Code, 1973, praying to enlarge the petitioner on anticipatory bail in the event of her arrest in Crime No.180 of 2024 on the file of the respondent police.

For Petitioner : Mr.Thamaraiselvan R

For Respondent : Mr.C.E.Pratap

Government Advocate (Crl. Side)



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ORDER

This Criminal Original Petition has been filed by the petitioner on 14.05.2024 under Section 438 of the Criminal Procedure Code, 1973 (Act No.2 of 1974) praying to grant an order of pre-arrest bail.

2. The petitioner apprehends arrest at the hands of the respondent Police for the offences punishable under Sections 447, 294 (b), 323 and 506(i) of IPC and r/w. Section 4 of Tamilnadu Prohibition of Harassment of Women Act, 2002 in Crime No.180 of 2024 on the file of the respondent police.

3. According to the petitioner, the defacto complainant lodged a complaint against the petitioner stating that on 08.05.2024, the petitioner and her sister son went to the house of the defacto complainant and threatened her father using filthy language and again on 09.05.2024, the petitioner, one Lakshmanan and an unknown person went to the house of the defacto complainant and threatened the defacto complainant and her grandmother using filthy language. Hence the case.

4. The learned Government Advocate (Criminal Side) appearing for the respondent police submitted that there was a parking dispute between the petitioner and the defacto complainant and the wordy quarrel



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arose out of the same.

5. Heard on both sides'. This Court has perused the records.

6. Considering the nature of the dispute between the petitioner and the defacto complainant, this Court is inclined to grant an order of pre-arrest bail to the petitioner subject to the following conditions:

(i) The petitioner shall be released on bail in the event of her arrest or in the event of his surrender before the learned **Judicial Magistrate, Coimbatore**, within a period of 15 days from today, on executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) along with two sureties each for a like sum of Rs.10,000/- (Rupees Ten Thousand Only) to the satisfaction of the learned **Judicial Magistrate, Coimbatore**.

(ii) The sureties shall affix their photographs and left thumb impression in the Application for Suretyship [Judicial Form No.46 annexed to 'The Criminal Rules of Practice, 2019']. The learned Judicial Magistrate shall obtain a copy of any one of identity proofs to ensure their identity;

(iii) **The petitioner shall appear and sign before the respondent Police, daily at 10.00 a.m., for a period of one month;**

(iv) The petitioner shall furnish her residence address and mobile



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number to the learned **Judicial Magistrate, Coimbatore.**

(v) The petitioner shall not, directly or indirectly, cause any threat to the defacto complainant and witnesses and shall not tamper the evidence;

(vi) On breach of any of the aforementioned conditions, the learned Magistrate is entitled to pass appropriate orders against the petitioner in accordance with law as if the aforementioned conditions are imposed by him as laid down by the Hon'ble Supreme Court in ***P.K. Shaji vs. State of Kerala*** [(2005) 13 SCC 283].

7. Accordingly, this Criminal Original Petition is allowed subject to the conditions stated supra.

17.05.2024

Index : Yes/No
Internet : Yes/No
Neutral citation : Yes/No
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Note:-



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1. Registry is directed to forthwith upload this order in the official website of this Court.
2. All concerned to act on this order being uploaded in official website of this Court without insisting on certified hard copies. To be noted, this order when uploaded in official website of this Court will be watermarked and will also have a QR code.

To

- 1.The Judicial Magistrate, Coimbatore.
- 2.The Inspector of Police,
Thudialur Police Station,
Coimbatore District.
- 3.The Public Prosecutor, High Court of Madras.



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R.SAKTHIVEL. J.

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