



CRL OP(MD) No.2735 of 2024

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Thursday, the Twenty Second day of February Two Thousand and Twenty Four

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.2735 of 2024

ESAKKIAMMAL

... PETITIONER / ACCUSED NOT KNOWN

Vs

THE INSPECTOR OF POLICE
TIRUNELVELI TOWN POLICE STATION,
TIRUNELVELI DISTRICT.
CRIME NO.454/2023.

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.SUYAMBULINGA BHARATHI.K Advocate

For Respondent : Mr.S.MANIKANDAN, Govt. Advocate (Crl. Side)

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

PRAYER:- FOR ANTICIPATORY BAIL IN CRIME NO.454/2023 ON THE FILE OF
THE RESPONDENT POLICE.

ORDER : The Court Made the following order :-

The petitioner/ Accused, who apprehends arrest at the hands of the respondent
police for the alleged offence under Sections 147, 148, 341, 294(b), 307, 506(ii) and 109
of IPC, in Crime No.454 of 2023, on the file of the respondent police, seeks



CRL OP(MD) No.2735 of 2024

anticipatory bail.

WEB COPY

2.The case of the prosecution is that due to previous enmity, the petitioner and other accused persons attacked the defacto complainant's husband. Earlier criminal case, the very same accused joined together and attacked the defacto complainant's father-in-law with regard to land dispute. Hence, the case.

3.The learned counsel appearing for the petitioner submitted that the petitioner has not committed any offence as alleged by the prosecution and she is a house wife and her husband is a CRPF employee and the place of occurrence is far away from the native of the petitioner and intentionally, the respondent police has implicated the petitioner in the present case. Hence, he prays for anticipatory bail.

4.The learned Government Advocate (Crl. side) submitted that A9 was already released on bail by the trial Court and the petitioner is arrayed as A10 in this case. However, the petitioner is the master mind and she engaged the hooligans and attacked the defacto complainant's husband and her father-in-law. Apart from this case, one previous case is pending against her. Hence, he strongly opposed to grant anticipatory bail to the petitioner.

5.Considering the facts and circumstances of the case and also considering the allegation levelled against the petitioner and A9 was already released on bail by the trial Court, this Court is inclined to grant anticipatory bail to the petitioner with



CRL OP(MD) No.2735 of 2024

certain conditions.

WEB COPY

6. Accordingly, this Criminal Original Petition is ordered and the petitioner is ordered to be released on bail in the event of arrest or on her appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate No.4, Tirunelveli, 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 respondent police or the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further condition that:

(a) if the petitioner failed to surrender before the concerned Magistrate within a period of 15 days from the date of receipt of a copy of this order, this order shall stand automatically cancelled;

(b) the sureties shall affix their photographs and left thumb impression in the surety bond and the Court concerned may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

(c) the petitioner shall report before the All Women Police Station, which is located in her locality daily at 10.30 a.m., for a period of two weeks and thereafter as and when required for interrogation;

(d) the petitioner shall not tamper with evidence or witness either during



CRL OP(MD) No.2735 of 2024

investigation or trial;

WEB COPY

(e) the petitioner shall not abscond either during investigation or trial;

(f) 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]; and;

(g) if the accused thereafter abscond, a fresh FIR can be registered under Section 229-A IPC.

sd/-
22/02/2024

/ TRUE COPY /

/02/2024
Sub-Assistant Registrar
(C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

SJI
TO
1 THE JUDICIAL MAGISTRATE NO.4,
TIRUNELVELI.

2 DO THROUGH THE CHIEF JUDICIAL
MAGISTRATE, TIRUNELVELI DISTRICT.

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

<https://www.hmc.tn.gov.in/judis>



CRL OP(MD) No.2735 of 2024

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

+1 CC to M/s.K.SUYAMBULINGA BHARATHI, Advocate (SR-2255[I] dated
22/02/2024)

ORDER
IN
CRL OP(MD) No.2735 of 2024
Date :22/02/2024

SA/VR/SAR. /29.02.2024/5P/6C

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