



CRL OP(MD) No.3602 of 2024

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

Wednesday, the Sixth day of March Two Thousand and Twenty Four

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.3602 of 2024

PONRANI

... PETITIONER/SOLE ACCUSED

Vs

THE SUB INSPECTOR OF POLICE
MANOOR POLICE STATION,
TIRUNELVELI DISTRICT.
CRIME NO.621/2023.

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.A.SIVASUBRAMANIAN, Advocate

For Respondent : MR.S.MANIKANDAN, Government Advocate (Crl.Side)

PETITION FOR ANTICIPATORY BAIL UNDER SEC 438 OF CR.P.C.

PRAYER : FOR ANTICIPATORY BAIL IN CRIME NO.621/2023 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 alleged offence under Section 75 of Juvenile Justice Act in Crime No.621 of 2023, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner is the Headmistress of a



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school, in which the defacto complainant's son is studying. Due to communal status, the petitioner insisted the defacto complainant's son to remove the stone, which was pelted by him in the toilet of school. Hence, the complaint.

3. The learned counsel appearing for the petitioner would submit that that the petitioner has not committed any offence as alleged by the prosecution and he has been falsely implicated in this case. In fact, the petitioner as a Headmistress of the said school asked the defacto complainant's son to remove the stone, which was pelted by him in the toilet to enable the toilet as usable by other students. Hence, he prays for grant of anticipatory bail.

4. The learned Government Advocate (Crl.Side) would that the petitioner is a Headmistress and she insisted the defacto complainant's son to clean the toilet in the school. Hence, he opposed to grant anticipatory bail to the petitioner.

5. Considering the facts and circumstances of the case and also considering the fact that there is no serious allegation made against the petitioner, this Court is inclined to grant anticipatory bail to the petitioner.

6. Accordingly, the petitioner is granted anticipatory bail and he 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.V, Tirunelveli/Juvenile Justice Board, Tirunelveli, on condition that



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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 respondent Police as and when required;

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

(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;



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

sd/-
06/03/2024

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/03/2024

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

INDU

TO

1 THE JUDICIAL MAGISTRATE NO.V / JUVENILE JUSTICE BOARD,
TIRUNELVELI.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, TIRUNELVELI DISTRICT.

3 THE SUB INSPECTOR OF POLICE, MANOOR POLICE STATION,
TIRUNELVELI DISTRICT.

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

+1 CC to M/s.A.SIVASUBRAMANIAN, Advocate (SR-2838[I] dated 06/03/2024)

ORDER IN

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Date :06/03/2024

RS/GS/SAR-(13.03.2024) 4P 6C

Madurai Bench of Madras High Court is issuing
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