



CRL OP(MD) No.3473 of 2024

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

Thursday, the Seventh day of March Two Thousand and Twenty Four

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.3473 of 2024

RAJESWARI

... PETITIONER / SOLE ACCUSED

Vs

THE INSPECTOR OF POLICE
RAMESHWARAM TOWN POLICE STATION,
RAMANATHAPURAM DISTRICT.
CRIME NO. 17/2024

... RESPONDENT / COMPLAINANT

For Petitioner : MR.B.MAHENDRARAJAN, 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. 17 OF 2024 ON THE FILE OF
THE RESPONDENT POLICE.

ORDER : The Court Made the following order :-

The petitioner, who apprehend arrest at the hands of the respondent Police for
the alleged offence under Sections 294(b), 323, 506(ii) and 379 of IPC in Crime No.17



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of 2024, seek anticipatory bail.

2.The case of the prosecution is that the petitioner is the daughter-in-law of the defacto complainant. Due to the family dispute, the petitioner tried to forcibly evict the defacto complainant from her house and attacked her with hands and also threatened her. 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. Further, she filed an undertaking affidavit that she will not make any problem with her mother-in-law/defacto complainant and he is ready to deposit a sum of Rs.25,000/- to her mother-in-law's Bank account. Hence, he prays for grant of anticipatory bail.

4.The learned Government Advocate (Crl.Side) would that the petitioner is a Police Constable and she tried to evict her mother-in-law from her house. Hence, he opposed to grant anticipatory bail to the petitioner.

5. Considering the facts and circumstances of the case and also considering the undertaking affidavit filed by the petitioner that she will not make any trouble to the defacto complainant till her life time, this Court is inclined to grant anticipatory bail to the petitioner.

6. Accordingly, the petitioner is granted anticipatory bail and he is ordered to



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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, Rameshwaram, Rameshwaram District, 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 petitioner is directed to deposit a sum of Rs.25,000/- to the defacto complainant's Bank account and file the proof of the deposit at that time of executing sureties before the concerned trial Court. The concerned Magistrate shall accept the sureties on perusal of above proof of deposit;

(c)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;

(d)the petitioner shall report before the respondent Police as and when

required:

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



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

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

(g)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;

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

sd/-
07/03/2024

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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,
RAMESHWARAM, RAMESHWARAM DISTRICT.



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- 2 DO THROUGH:
THE CHIEF JUDICIAL MAGISTRATE,
RAMANATHAPURAM DISTRICT.
- 3 THE INSPECTOR OF POLICE
RAMESHWARAM TOWN POLICE STATION,
RAMANATHAPURAM DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN

CRL OP(MD) No.3473 of 2024

Date :07/03/2024

PKP/GS/SAR /15.03.2024/ 5P/ 5C

Madurai Bench of Madras High Court is issuing certified
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