



CRL OP(MD). No.5463 of 2024

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 10/04/2024

PRESENT

The Hon`ble Mr.Justice B.PUGALENDHI

CRL OP(MD). No.5463 of 2024

Ilamathi,

(Fir Wrongly Mentioned in Britto Ilamathi), ... Petitioner/ Accused No.2

Vs

The Inspector of Police,
Karaikudi South Police Station,
Sivagangai District.
(Crime No.94 of 2024).

... Respondent/ Complainant

For Petitioner : M/s.Malaikani.S,Advocate.

For Respondent : Mr.E.Antony Sahaya Prabahar,
Additional Public Prosecutor

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

PRAYER :-

For Anticipatory Bail in Crime No.94 of 2024 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 punishable under Sections 147, 294(b), 323, 324, 506(i) and 379 of

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



CRL OP(MD). No.5463 of 2024

IPC, in Crime No.94 of 2024 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that due to some previous enmity, on 02.04.2024 at around 04.00 p.m., the petitioner and other accused went to the house of the defacto complainant, picked up quarrel with him and attacked him with a wooden stick.

3.The learned counsel appearing for the petitioner submits that the petitioner has not indulged in any offence as alleged by the prosecution and she has been falsely implicated in this case.

4.The learned Additional Public Prosecutor for the respondent strongly opposes for grant of anticipatory bail on the ground that the investigation is yet to be completed.

5.Considering the nature of offence and that the dispute is among the family members, this Court is inclined to grant anticipatory bail to the petitioner.

6.Accordingly, this criminal original petition is allowed 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, Karaikudi, on condition that the petitioner shall execute a

bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties



CRL OP(MD). No.5463 of 2024

each for a like sum to the satisfaction of the learned Judicial Magistrate, Karaikudi and on further conditions that:

- i. The petitioner and the sureties shall submit a copy of their Aadhaar Card or any other identity card issued by the Government in proof of their residence address;
- ii. The petitioner shall appear before the respondent police as and when required.
- iii. The petitioner shall not misuse the liberty granted to her by indulging in any further offence and shall not tamper with the prosecution witnesses. The petitioner shall be available for the trial as well.
- iv. On violation of any of the above conditions by the petitioner, the respondent police shall move an application for cancellation of the anticipatory bail.

sd/-
10/04/2024

/ TRUE COPY /

/04/2024
Sub-Assistant Registrar
(C.S.I /II /III /IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.



CRL OP(MD). No.5463 of 2024

TO
WEB COPY

- 1 THE JUDICIAL MAGISTRATE,
KARAIKUDI.
- 2 DO-THROUGH :
THE CHIEF JUDICIAL MAGISTRATE,
SIVAGANGAI DISTRICT.
- 3 THE INSPECTOR OF POLICE
KARAIKUDI SOUTH POLICE STATION,
SIVAGANGAI DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.S.MALAIKANI, Advocate (SR-4301[I] dated 10/04/2024)

ORDER
IN

CRL OP(MD) No.5463 of 2024

Date :10/04/2024

PKP/VR/SAR /16.04.2024/ 4P/ 6C

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