



CRL OP(MD).No.8941 of 2024

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 19.06.2024

PRESENT

The Hon`ble Mr.Justice B.PUGALENDHI

CRL OP(MD).No.8941 of 2024

Vanaja

... Petitioner/ Accused No.5

Versus

State rep. by
The Inspector of Police,
South Thamaraiikulam Police Station,
Kanniyakumari District.
(Crime No.46 of 2024)

... Respondent/Complainant

For Petitioner : Mr.S.Krishnan

For Respondent : Mr.B.Thanga Aravindh
Government Advocate (Crl. side)

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

PRAYER :-

For Anticipatory Bail in Crime No.46 of 2024 on the file of the Respondent

Police.

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



CRL OP(MD).No.8941 of 2024

WJMSOPH
ORDER : The Court made the following order :-

The petitioner, apprehending arrest at the hands of the respondent Police, in connection with a case in Crime No.46 of 2024, for the offence punishable under Sections 147, 148, 294(b), 324, 307 and 506(ii) IPC, has filed this petition seeking anticipatory bail.

2. The case of the prosecution is that due to civil dispute between the petitioner and the defacto complainant, the petitioner and other accused have attacked the defacto complainant, abused him in filthy language and threatened him with dire consequences. Hence, the case.

3. The learned counsel appearing for the petitioner submits that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. Hence, he prays for grant of anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl.Side) appearing for the respondent Police submits that there is no specific overt act as against the petitioner and the injured has been discharged from the hospital.



CRL OP(MD).No.8941 of 2024

WEB COPY

5. Considering the fact that there is no specific overt act as against the petitioner and also considering the fact that the injured has been discharged from the hospital, this Court is inclined to grant anticipatory bail to the petitioner.

6. Accordingly, this Criminal Original Petition is ordered and the petitioner is ordered to be released on bail in the event of her 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.III, Nagercoil, on condition that

(i) the petitioner execute a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand), with two sureties each for a like sum to the satisfaction of the learned Judicial Magistrate No.III, Nagercoil.

(ii) 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;

(iii) The petitioner shall appear before the respondent police daily at 10.30 a.m., until further orders. She has to co-operate for the investigation.

(iv) The petitioner shall not misuse the liberty granted to her by



CRL OP(MD).No.8941 of 2024

indulging in any further offence and shall not tamper with the prosecution witnesses.

(v) 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/-
19/06/2024

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/07/2024
Sub-Assistant Registrar (C.S-I/II.III/IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

jbr

TO

1. THE JUDICIAL MAGISTRATE COURT NO.III,
NAGERCOIL.
- 2 DO THROUGHT THE CHIEF JUDICIAL MAGISTRATE,
KANNIYAKUMARI DISTRICT @ NAGERCOIL.
3. THE INSPECTOR OF POLICE,
SOUTH THAMARAikulam POLICE STATION,
KANNIYAKUMARI DISTRICT.
4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.



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CRL OP(MD).No.8941 of 2024

ORDER
IN
CRL OP(MD) No.8941 of 2024
Date :19/06/2024

RK/GS(02.07.2024)/ 5P/ 5C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17.07.2023.