



CRL OP(MD). No.9892 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 05/07/2024

PRESENT

The Hon`ble Mr.Justice A.A.NAKKIRAN

CRL OP(MD). No.9892 of 2024

Josephine Arokiya Selvi

... Petitioner/Sole Accused

Vs

The Inspector of Police,
Samayanallur Police Station,
Madurai District.
(Crime No.160/2024.)

... Respondent/Complainant

For Petitioner : Mr.P Subbiah, Advocate.

For Respondent : Mr.M.Vaikkam Karunanithi,
Government Advocate (Crl.Side)

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

PRAYER :-

For Anticipatory Bail in Crime No. 160/2024 on the file of the Respondent police.

ORDER : The Court made the following order :-

The petitioner/Sole Accused, who apprehends arrest at the hands of the



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respondent police for the offences punishable under Sections 294(b) and 324 of IPC in Crime No.160 of 2024, seeks anticipatory bail.

2.The case of the prosecution is that when the defacto complainant demanded money for purchase of milk, the petitioner abused her with filthy language and assaulted her. Hence, the complaint.

3.The learned counsel for the petitioner would submit that the petitioner is innocent and she has been falsely implicated in this case. Hence, he prays for anticipatory bail.

4.The learned Government Advocate (Crl.Side) appearing for the respondent police would submit that injured discharged from the hospital and no previous case is pending against the petitioner.

5.Considering the facts and circumstances of the case and also considering the fact that the injured was discharged from the hospital, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

6.Accordingly, the petitioner is ordered to be released on bail in the event of arrest or her appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate, Vadipatti, 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



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to the Police Officer, who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further conditions that:

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

(b)the petitioner is directed to deposit a sum of Rs.5,000/- to the credit of Crime No.160 of 2024. on receipt of such deposit, the learned Judicial Magistrate shall accept the sureties.

(c)The petitioner shall report before the respondent police daily at 10.30 am until further orders.

(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/-
05/07/2024

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

RMK

To

1.The Judicial Magistrate,
Vadipatti.

2.Do through the Chief Judicial Magistrate,
Madurai District.

3.The Inspector of Police,
Samayanallur Police Station,
Madurai District.

4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1 CC to M/s.P.SUBBIAH, Advocate (SR-7499[I] dated 05/07/2024)

ORDER
IN
CRL OP(MD) No.9892 of 2024
Date :05/07/2024



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ED/VR /SAR- (18/07/2024) 5P / 6C

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