



CRL OP(MD). No.10002 of 2024

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 08/07/2024

PRESENT

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

CRL OP(MD). No.10002 of 2024

Suganya

... Petitioner/ Accused No.2

Vs

State represented by
The Inspector of Police,
South Gate Police Station,
Madurai City,
Madurai District.
(In Crime No.519 of 2023)

... Respondent

For Petitioner : Mr.S.Balasubramanian
Advocate.

For Respondent : Mr.R.M.Anbunithi,
Additional Public Prosecutor

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

PRAYER :-

For Anticipatory Bail in Crime No.519 of 2023 on the file of the respondent police.



CRL OP(MD). No.10002 of 2024

ORDER : The Court made the following order :-

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The petitioner/ A2, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 406, 420, 294(b), 506(i) of IPC, in Cr.No.519 of 2023, seeks anticipatory bail.

2. The case of the prosecution is that due to money dispute between the defacto complainant and the accused persons, on 01.12.2023 at 21.15 hours, the the petitioner/A2 and the first accused abused the defacto complainant in filthy language and also threatened him with dire consequences. Hence, the complaint.

3.The learned counsel for the petitioner would submit that the petitioner is innocent person and she has been falsely implicated in this case. He would further submit that co-accused was already arrested and released on bail. Hence, he prays for grant of anticipatory bail to the petitioner.

4. The learned Additional Public Prosecutor would submit that the petitioner/A2 is the wife of the first accused. He would further submit that the co-accused was already arrested and released on bail.



CRL OP(MD). No.10002 of 2024

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5. Considering the facts and circumstances of the case and also considering the facts that the co-accused was already arrested and released on bail, 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 No.4, Madurai, 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 to the Police Officer, who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further conditions that:

(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 shall report before the respondent police daily at 10.30 a.m, for a period of two weeks and thereafter, as and when required for interrogation;

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

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



CRL OP(MD). No.10002 of 2024

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(e) 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;

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

sd/-
08/07/2024

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

VSD

TO

1.THE JUDICIAL MAGISTRATE NO.4, MADURAI,

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
MADURAI.

3.THE INSPECTOR OF POLICE,
SOUTH GATE POLICE STATION,
MADURAI CITY,
MADURAI DISTRICT.



CRL OP(MD). No.10002 of 2024

WEB COPY

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

ORDER
IN
CRL OP(MD) No.10002 of 2024
Date :08/07/2024

RK/GS (18/07/2024) 5P / 5C

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