



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

Monday, the Thirtieth day of December Two Thousand Thirteen

PRESENT

The Hon`ble Mr Justice P.N.PRAKASH

CRL OP(MD) No.23475 of 2013

1 RAMAIAH THEVAR
2 VALLIAMMAI
3 DAMAYANTHI

... PETITIONERS/ACCUSED NOS.1 TO 3

Vs

THE STATE REP BY
THE INSPECTOR OF POLICE
PANAYAPATTI POLICE STATION,
PUDUKKOTTAI DISTRICT.
(CRIME NO.95 OF 2013)

... RESPONDENT/ COMPLAINANT

For Petitioner : M/S.K.BAALASUNDHARAM Advocate
For Respondent : M/S.A.P.BALASUBRAMANIAN
Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

The petitioners who are arrayed as accused No.1 to 3 apprehends arrest at the hands of the respondent police for the alleged commission of offences punishable under Sections 294(b), 355 and 506(i) IPC, in Crime No.95 of 2013, and hence seeks anticipatory bail.

2.The case of the prosecution is that when the defacto complainant went to her Aunty's house, the Petitioners have questioned the defacto complainant about her presence and attacked her and abused her in filthy language and hence the present complaint was lodged by the defacto complainant.

3.The learned counsel for the petitioners would submit that the third petitioner's husband namely Pandichelvam made a complaint against the defacto complainant which was registered in Crime No.94 of 2013 and as a counter case, the defacto complainant has lodged the present false complaint against them and therefore they seek for anticipatory bail.



4.Learned Government Advocate (Crl. Side) would submit that it is a case in counter and no one sustained injury in the above occurrence and there is only a wordy quarrel between the Petitioners and defacto complainant and further the Petitioners and the defacto complainant are close relatives..

5.Considering the facts and circumstances of the case and also considering the fact that the Petitioners and the defacto complainant are close relatives and that no one sustained any injury in the above said occurrence, this Court is inclined to enlarge the petitioners on anticipatory bail.

6.Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance before the learned Judicial Magistrate, Thirumayam and on executing 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 learned Magistrate concerned and on further condition that the third petitioner shall appear before the respondent police daily at 11.00 a.m for a period of two weeks and thereafter as and when required. Considering the age of the Petitioners 1 and 2, they shall appear before the respondent police for interrogation as and when required by them. The petitioners shall comply with the condition stipulated under Section 438 Cr.P.C., scrupulously.

7.The petitioners shall appear before the concerned Magistrate within a period of 15 days from the date on which the order copy made ready, failing which, the petition for anticipatory bail stands dismissed.

sd/-
30/12/2013

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

- 1.THE JUDICIAL MAGISTRATE, THIRUMAYAM
 - 2.DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, PUDUKOTTAI DISTRICT
 - 3.THE ADDITIONAL PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI
 - 4.THE INSPECTOR OF POLICE
PANAYAPATTI POLICE STATION,
PUDUKKOTTAI DISTRICT.
- +1. CC to M/S.K.BAALASUNDHARAM Advocate SR.No.64436
RL/6 C- 2/1/2014

ORDER
IN
CRL OP (MD) No.23475 of 2013
Date :30/12/2013