



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

Monday, the Sixth day of July Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice K.KALYANASUNDARAM

CRL OP(MD) Nos.12176 and 12233 of 2015

1 RAJKUMAR @ MUTHAIAH

2 PARAMASIVAM

... PETITIONERS/ACCUSED NOS.1&3 IN
CRL.OP (MD) NO.12176/2015

POONGOTHAI

... PETITIONER/ACCUSED NO.2 IN
CRL.OP (MD) NO.12233/2015

Vs

STATE REP BY

THE INSPECTOR OF POLICE

ANNA NAGAR E3 POLICE STATION, MADURAI DISTRICT

(CRIME NO.1033/2014)

... RESPONDENT / COMPLAINANT IN
BOTH THE PETITIONS

For Petitioner : M/S.S.GOKULRAJ Advocate in
Crl.OP (MD) No.12176/2015

M/S.J.C.RATHINAVEL PANDIAN, Advocate in
Crl.OP (MD) No.12233/2015

For Respondent : M/S/S.PRABHA, Govt. Advocate (Crl. Side)
in both the petitions

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

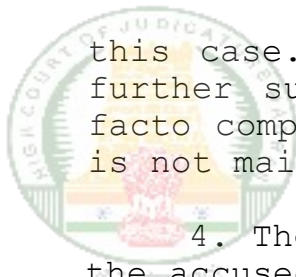
ORDER : The Court Made the following order :-

The petitioners who are arrayed as A1 to A3, apprehend arrest at the hands of the respondent police for an alleged offence punishable under Sections 177, 120(B), 193, 196, 197, 198, 420, 465, 466, 468, 471 and 500 of IPC Crime No.1033 of 2014 on the file of the respondent police, seek anticipatory bail.

2. According to the de facto complainant, A1 had filed GWOP.No.15 of 2013, before the Family Court, Madurai and produced fabricated certificates issued by the A2 to get custody from his wife.

<https://hcservices.ecourts.gov.in/hcservices/>

3.The learned counsel for the petitioners submitted that the petitioners are innocent and they have been falsely implicated in



this case. This complaint was given with an ulterior motive. He further submitted that if any false evidence is produced, the de facto complainant has to take action for perjury and this complaint is not maintainable in law.

4. The learned Government Advocate (Crl.side) would submit that the accused have produced false certificates to get custody of child from the wife of the de facto complaint.

5. Considering the facts and circumstances of the case, I am inclined to grant anticipatory bail to the petitioners. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance before the learned Judicial Magistrate-VI, Madurai, and on each of them executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two common sureties for a like sum to the satisfaction of the learned Magistrate concerned and on further condition that the first petitioner / A1 shall appear before the respondent police daily at 10.00 a.m., for a period of two weeks and thereafter, as and when required for interrogation and the the petitioners / A2 and A3 shall appear before the respondent police as and when required for interrogation. The petitioners shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously.

6. 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/-

06/07/2015

/ TRUE COPY /

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

TO

1.THE JUDICIAL MAGISTRATE NO.VI,MADURAI
2.DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, MADURAI DISTRICT
3.THE ADDITIONAL PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI
4.THE INSPECTOR OF POLICE
ANNA NAGAR E3 POLICE STATION, MADURAI DISTRICT
+1. CC to M/S.S.GOKULRAJ Advocate SR.No.36751
+One cc to M/S.J.C.RATHINAVEL PANDIAN, Advocate, SR.No.36750
RL/7C - 8/7/2015

ORDER

IN

CRL OP(MD) Nos.12176 and
12233 of 2015

Date :06/07/2015