



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

Wednesday, the Seventh day of January Two Thousand Fifteen

PRESENT

The Hon'ble Mr Justice P.N.PRAKASH

CRL OP(MD) No.14636 of 2014

1 KAMARAJ
2 ELAVARASI
3 INDRA
4 RAJA
5 ILANCHEIYAM

... PETITIONERS / ACCUSED

Vs

1 THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION, THIRUVERUMBUR,
TRICHY DISTRICT. CR. NO.15 OF 2014.

... RESPONDENT(S) / COMPLAINANT(S)

For Petitioner : M/S.A.CHANDRAKUMAR Advocate

For Respondent : Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

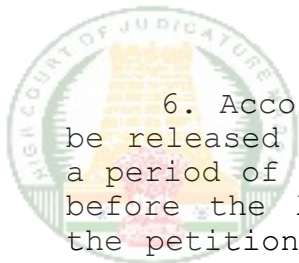
The petitioners, who apprehend arrest at the hands of the respondent police for the alleged offence punishable under Sections 313, 498(A), 109 and 506(i) of IPC., in Crime No.15 of 2014 on the file of the respondent police, seek anticipatory bail.

2. Heard the learned counsel appearing on either side.

3. The case of the prosecution is that A1 got married to the defacto complainant on 08.11.2006 and she had subjected to untold misery at the hands of the petitioners.

4. It is alleged by the defacto complainant that twice A1 made the defacto complainant to undergo abortion. The defacto complainant and A1 got secretly married.

5. Taking into consideration of the serious allegations made against the 1st petitioner/ A1, I am not inclined to grant anticipatory bail. Hence, this petition is dismissed in respect of the 1st petitioner/A1. As regards the petitioners 2 to 5 /A2 to A4 and A6 are concerned, they are the relatives of the first accused. The allegations against them are not serious in nature. Therefore, relying upon the Judgment of the Hon'ble Supreme Court in **Arnesh Kumar Vs.State of Bihar** reported in **2014 (8) Scale 250**, this Court is inclined to grant Anticipatory Bail to the petitioners 2 to 5 /A2 to A4 and A6 herein.



6. Accordingly, the petitioners 2 to 5 /A2 to A4 and 6 are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate No.VI, Trichy, on condition that the petitioners shall execute a bond for a sum of Rs.10,000/- (Rupees ten thousand only) each with two sureties each for a like sum to the satisfaction of the respondent police or the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further condition that:

[a] the petitioners shall report before the respondent police, as and when required for interrogation.

[b] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[c] the petitioner shall not abscond either during investigation or trial.

[d] 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]**.

Petition dismissed as against A-1.

sd/-
07/01/2015

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)

TO

1 THE JUDICIAL MAGISTRATE, NO.VI, TRICHY.

2 THE CHIEF JUDICIAL MAGISTRATE, TRICHY.

3 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI

4 THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION, THIRUVERUMBUR, TRICHY DISTRICT.

+1. CC to M/S.A.CHANDRAKUMAR Advocate SR.No.578.

TS/08.01.2015/2P-6C

ORDER
IN
CRL OP(MD) No.14636 of 2014
Date :07/01/2015