



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

Monday, the Second day of February Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice P.N.PRAKASH

CRL OP (MD) No.1686 of 2015

BABY

... PETITIONER/ACCUSED

Vs

THE STATE REP BY
THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION, THIRUPARANKUNDRAM,
MADURAI DISTRICT.
CRIME NO. 147/2014

... RESPONDENT/ COMPLAINANT

For Petitioner : M/S.S.MUNIYANDI Advocate
For Respondent : M/S.AP.BALASUBRAMANIAN
Govt. Advocate (Crl. Side)

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

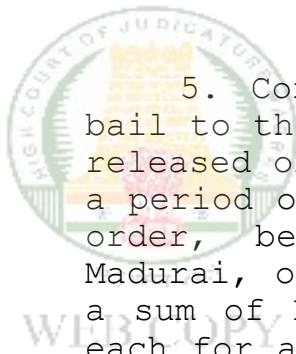
ORDER : The Court Made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offence punishable under Sections 498(A), 406, 497 and 506(ii) and Section 4 of the Tamil Nadu Prohibition of Women Harassment Act, 2002, in Crime No.147 of 2014 on the file of the respondent police, seeks anticipatory bail.

2. This is a third application for Anticipatory Bail. Earlier two applications filed by the petitioner in Crl.OP[MD].Nos.22693 of 2014 and 536 of 2015 were dismissed by this Court, on 17.12.2014 and 13.01.2015, respectively.

3. The case of the prosecution is that the *de facto* complainant got married to one Kannan, who is working as Police Constable. The petitioner herein is also working as Police Constable. The said Kannan developed intimacy with this petitioner. It is seen that this petitioner got married to one Venkitachalapathy. Even though this Court had dismissed the earlier applications for Anticipatory Bail filed by the petitioner, the police have not chosen to arrest her, though she is reporting for duty daily.

4. In such circumstances, this Court is of the view that no useful purpose will be served by dismissing the present petition.



5. Considering the above I am inclined to grant anticipatory bail to the petitioner. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on her appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate, Mahila Court, 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 the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further condition that:

[a] the petitioner 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]**.

The Inspector of Police concerned is directed to send compliance report to the office of the learned Additional Public Prosecutor whether the petitioner is complying with the order or not.

sd/-

02/02/2015

/ TRUE COPY /

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

TO

1. THE JUDICIAL MAGISTRATE
MAHILA COURT, 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
ALL WOMEN POLICE STATION, THIRUPARANKUNDRAM,
MADURAI DISTRICT.
- +1. CC to M/S.S.MUNIYANDI Advocate SR.No.4599
RL/6C - 4/2/2015

ORDER

IN

CRL OP(MD) No.1686 of 2015

Date : 02/02/2015