



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

Tuesday, the Twenty Second day of September Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice K.KALYANASUNDARAM

CRL OP(MD) No.17258 of 2015

1 RAJA  
2 ILANGO

... PETITIONERS/ ACCUSED Nos.1 and 2

Vs

THE STATE REP.BY  
THE INSPECTOR OF POLICE  
DEVAKOTTAI TOWN POLICE STATION,  
SIVAGANGAI DISTRICT.  
(IN CRIME NO. 391 OF 2015)... RESPONDENT / COMPLAINANT

For Petitioner : MR.S.M.SANJAY for  
M/S E.M.S.N. LAW ASSOCIATES Advocate

For Intervener : MR.S.MUTHUKUMAR, ADVOCATE

For Respondent : M/S.S.PRABHA, Govt. Advocate ( Crl. Side)

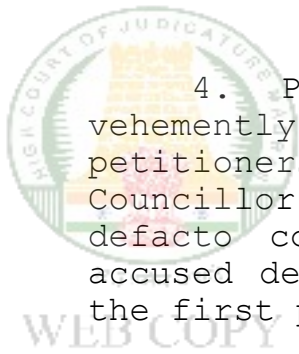
PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioners, who are arrayed as accused Nos.1 & 2, apprehend arrest at the hands of the respondent police for the alleged offences punishable under Sections 294(b), 323, 341, 354, 506(i) and 379 (NH) IPC and Section 4 of Tamil Nadu Prohibition of Harassment of Women Act, in Crime No.391 of 2015 on the file of the respondent police and hence, seek anticipatory bail.

2.According to the defacto complainant, her daughter Mrs.Suguna was married to the accused and thereafter, she was physically harassed by him and therefore, she filed a petition for divorce and another application seeking maintenance. While so, on 10.09.2015 both the accused came in a two wheeler, way-laid the defacto complainant and also snatched her 3 sovereigns of gold chain and threatened her with dire consequences.

3.The learned counsel for the petitioner submitted that the second petitioner is the brother-in-law of the first petitioner and the first petitioner is ready for re-union with his wife and it is further submitted that on the date of alleged occurrence, the petitioners were attacked by the defacto complainant, for which, he lodged a complaint and it is pending enquiry.



4. Per contra, the learned counsel for the intervenor vehemently opposed the granting of anticipatory bail to the petitioners contending that the second accused is the Ward Councillor and he is a habitual offender and on 10.09.2015, the defacto complainant, who is an aged lady, was attacked by the accused demanding withdrawal of case filed by her daughter against the first petitioner.

5. Heard the learned Government Advocate (Crl.side) appearing for the respondents.

6. Considering the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioners, with certain conditions. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance before the learned Judicial Magistrate, Devakottai and on each of them 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 petitioners shall appear before the respondent police daily at 10.00 a.m., for a period of two weeks and thereafter, as and when required. 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/-  
22/09/2015

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE, DEVAKOTTAI.
- 2 DO THRO' THE CHIEF JUDICIAL MAGISTRATE, SIVAGANGAI.
- 3 THE ADDL. PUBLIC PROSECUTOR  
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- 4 THE INSPECTOR OF POLICE  
DEVAKOTTAI TOWN POLICE STATION, SIVAGANGAI DISTRICT.

+1. CC to M/S E.M.S.N. LAW ASSOCIATES Advocate SR.No.55853  
+1CC TO MR.S.MUTHUKUMAR, ADVOCATE SR NO.55963

ORDER  
IN  
CRL OP (MD) No.17258 of 2015  
Date : 22/09/2015