



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

Monday, the Twenty Third day of February Two Thousand Fifteen
PRESENT

The Hon`ble Mr Justice P.N.PRAKASH

CRL OP(MD) No.1770 of 2015

WEB COPY

1 C. JEYAKUMAR
2 J. HEMALATHA

... PETITIONERS/ACCUSED
(RANK NOT KNOWN)

Vs

THE STATE REP BY
THE INSPECTOR OF POLICE
KARIMEDU POLICE STATION,
MADURAI,
CRIME NO.181 OF 2015

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.C.ILAYARAJA Advocate

For Respondent : Mr.A.P.BALASUBRAMANI,
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 offences punishable under Sections 294(b), 323 and 324 IPC and Section 4 of Women Harassment Act in Crime No.181 of 2015 on the file of the respondent police, seek anticipatory bail.

2. Heard the learned counsel for the petitioners and the learned Government Advocate (Crl.Side) appearing for the State.

3. Initially, this petition was filed by showing the Crime Number as "Not Known of 2015" and therefore, this Court granted interim anticipatory bail to these petitioners on 06.02.2015 with a direction to appear before the respondent police.

4. Today, the respondent police is present. Learned Government Advocate (Crl.Side) submits that pursuant to the orders of this Court, the petitioners appeared before the respondent police and now a regular case in Crime No.181 of 2015 for offences under Sections 294(b), 323 and 324 IPC and Section 4 of Women Harassment Act has been registered.

5. It appears that the defacto complainant has borrowed money from these petitioners and when the petitioners started demanding the amount, it is alleged that quarrel ensued, in which it is stated



in the complaint that these petitioners have assaulted the defacto complainant.

6. Taking into consideration the nature of allegation found in the complaint, this Court is 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, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate No.V, Madurai, on condition that each of 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 petitioners shall report before the respondent police as and when required for interrogation.

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

[c] the petitioners 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 petitioners in accordance with law as if the conditions have been imposed and the petitioners 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]**.

sd/-

23/02/2015

/ TRUE COPY /

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

TO

1 THE JUDICIAL MAGISTRATE, NO.V, MADURAI

2 -DO-THRO'THE CHIEF JUDICIAL MAGISTRATE MADURAI

3 THE INSPECTOR OF POLICE KARIMEDU POLICE STATION, MADURAI,

4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.C.ILAYARAJA Advocate SR.No.8530

ORDER

IN

CRL OP(MD) No.1770 of 2015

Date :23/02/2015