



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

Tuesday, the Third day of February Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice P.N.PRAKASH

CRL OP (MD) No.1811 of 2015

J. PUSHPAVALLI

... PETITIONER/ACCUSED NO.3

Vs

THE STATE REP BY

THE INSPECTOR OF POLICE

KALAIYARKOVIL POLICE STATION, SIVAGANGAI DISTRICT.

CRIME NO.31 OF 2015

... RESPONDENT/ COMPLAINANT

For Petitioner : M/S.R.M.ANBUNIDHI Advocate

For Respondent : M/S.A.P.BALASUBRAMANIAN

Govt. Advocate (Crl. Side)

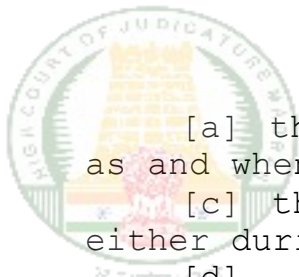
PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

Apprehending arrest at the hands of the respondent police in Crime No.31 of 2015, on the file of the respondent police for offences under Sections 294(b), 323 and 506(i) of the Indian Penal Code and Section 4 of Women Harassment Act, the petitioner is now before this Court seeking Anticipatory Bail.

2. It is the case of the de-facto complainant that she was illtreated by her parents-in-law. Based on the complaint given by her, the father-in-law (A1) was arrested. This petitioner is the mother-in-law. The husband is not an accused in this case. Since the allegations are not very serious, 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 petitioner, but with conditions.

3. Accordingly, the petitioner is ordered to be released on bail, in the event of arrest or on their appearance, within a period of **fifteen (15) days** from the date of receipt of a copy of this order, before the learned Judicial Magistrate, No.I, Sivagangai, on executing a separate 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.

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

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

[e] 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].

[f] The Inspector of Police concerned is directed to send compliance report to the office of the learned Government Advocate (Crl. Side), whether these petitioners are complying with the order or not.

sd/-
03/02/2015

/ TRUE COPY /

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

TO

1.THE JUDICIAL MAGISTRATE NO.I
SIVAGANGAI

2.DO THROUGH THE CHIEF JUDICIAL MAGISTRATE
SIVAGANGAI DISTRICT

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

4.THE INSPECTOR OF POLICE
KALAIYARKOVIL POLICE STATION, SIVAGANGAI DISTRICT

+1. CC to M/S.N.SATHEESH KUMAR, Advocate SR.No.5142

RL/6 C- 6/2/2015

ORDER
IN
CRL OP(MD) No.1811 of 2015
Date :03/02/2015