



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

Thursday, the Twenty Sixth day of February Two Thousand Fifteen

PRESENT

WEB COPY

THE HON`BLE MR JUSTICE P.N.PRAKASH

CRL OP(MD) No.18358 of 2014

A.JAYAPADMA

... PETITIONER / ACCUSED-2

Vs

THE STATE REP.BY
THE INSPECTOR OF POLICE,
DISTRICT CRIME BRANCH,
NAGERCOIL, KANYAKUMARI DISTRICT.
CRIME NO.66/2014

... RESPONDENT / COMPLAINANT

For Petitioner : MR.V.KATHIRVELU, SENIOR COUNSEL
for M/S.B.WILLIAM, 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 :-

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offence punishable under Sections 120B, 485, 471, 420, 294B, 506(ii) IPC in Crime No.66 of 2014 on the file of the respondent police, seeks anticipatory bail.

2.Initially the matter was referred to the Mediation centre and a failure report dated 10.02.2015 has been received.

3.Heard the learned counsel for the petitioner and the learned Government Advocate (Crl.side) appearing for the State.

4. The learned counsel for the petitioner submits that this Court has granted anticipatory bail to the husband of the petitioner by name S.Somasundaram in Crl.O.P.No.18620 of 2014 on 12.02.2015 and produced a copy of the order. This Court has discussed the case in detail and has granted anticipatory bail in Crl.O.P.No.18620 of 2014 to S.Somasundaram, who is the husband of this petitioner. The case of the petitioner is also on the same footing.

5. Considering the facts and circumstances of the case, 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 his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate No.I, Nagercoil, Kanyakumari District,



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 appear 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 a compliance report to the office of the learned Government Advocate (Crl.side) as to whether the petitioners are complying with the order or not.

sd/-

26/02/2015

/ TRUE COPY /

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

TO

1 THE JUDICIAL MAGISTRATE NO.I, NAGERCOIL.

2 -DO-THRO' THE CHIEF JUDICIAL MAGISTRATE, KANYAKUMARI @ NAGERCOIL.

3 THE INSPECTOR OF POLICE, DISTRICT CRIME BRANCH, NAGERCOIL,
KANYAKUMARI DISTRICT.

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

+1. CC to M/S.B.WILLIAM, Advocate SR.No.9133.

ORDER IN

CRL OP(MD) No.18358 of 2014

Date :26/02/2015

msm 02.03.2015 p2/6c