



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Monday, the Second day of November Two Thousand Fifteen

PRESENT

The Hon`ble Ms.Justice V.M.VELUMANI

CRL OP(MD) No.18594 of 2015

WEB COPY

1 T. AYYAPPA SETHUPATHI
2 VALAYAPATHI
3 S.R.PRADEEP
4 CHENTHIL KUMAR
5 ANURADHA
6 ASALAMBKAI
7 BALAJI

..PETITIONERS/ACCUSED 1 to 7

JOTHI LAKSHMI

..INTERVENOR

Vs.

STATE REP.BY THE SUB INSPECTOR OF POLICE
KANYAKUMARI POLICE STATION,
KANYAKUMARI DISTRICT.
(IN CRIME NO. 589 / 20 15)

..RESPONDENT/COMPLAINANT

For Petitioner : M/S C.KISHORE Advocate
For Respondent : Mr.K.ANBARASAN, Government Advocate (Crl.Side)
For Intervenor : Mr.T.JEEN JOSEPH, Advocate

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 to 7, apprehend arrest at the hands of the respondent police for the alleged offences punishable under Sections 147, 342, 294(b), 323, 420, 379, 506(ii) of IPC and Section 4 of Woman Harassment Act, 2002, in Crime No.589 of 2015 on the file of the respondent police and hence, seek anticipatory bail.

2.The learned counsel for the petitioners submitted that the defacto complainant deserted her husband and living separately and was leading a luxurious life, by spending huge amounts. The petitioners have taken steps to reunion the defacto complainant and her husband. While so, her husband demanded to bring back all jewels and money which she was retained with her while separation. By that time, she sold all her jewels and spent money for her luxurious life. Now, the defacto complainant could not face her husband and therefore, she has made a false complaint against the petitioners.

3.Heard the learned counsel appearing for the intervenor.

4.The learned Government Advocate (Crl.Side) represented that the petitioners kidnapped the defacto complainant and assaulted her and she was admitted in the hospital and discharged on 20.09.2015.

5.Considering the facts and circumstances of the case and also the fact that the injured has already been discharged from the hospital, 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 No.I, Nagercoil 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 1,3,4, & 7 shall appear before the respondent police daily at 10.00 a.m., until further orders and the petitioners 2,5 & 6 shall appear before the respondent police as and when required. The petitioners shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously.

6. 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/-

02/11/2015

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)

TO

1 THE JUDICIAL MAGISTRATE NO.I, NAGERCOIL.

2 -do-thro' THE CHIEF JUDICIAL MAGISTRATE, KANYAKUMARI AT NAGERCOIL.

3 THE ADDL. PUBLIC PROSECUTOR, MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

4 THE SUB INSPECTOR OF POLICE, KANYAKUMARI POLICE STATION,
KANYAKUMARI DISTRICT.

+1. CC to M/S C.KISHORE Advocate SR.No.64404

ORDER IN

CRL OP(MD) No.18594 of 2015

Date :02/11/2015

PBK/AN-MP/SAR-II 03/11/2015 ::2P-6C::