



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

Tuesday, the Twentieth day of October Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice P.N.PRAKASH

CRL OP(MD) No.20446 of 2015

1 ARULSAMY
2 PACKIYATHAMMAL

... PETITIONERS / ACCUSED No. 1 & 2

Vs

THE STATE REP.BY
THE INSPECTOR OF POLICE
MADUKKUR POLICE STATION,
THANJAVUR DISTRICT.

... RESPONDENT / COMPLAINANT

For Petitioner : M/S D.R.MURUGESAN Advocate

For Respondent : M.R.A.P.BALASUBRAMANI, Govt. Advocate (Crl. Side)

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

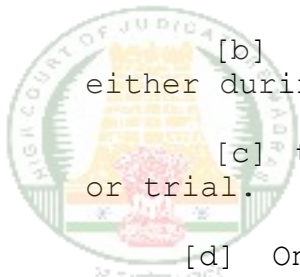
ORDER : The Court Made the following order :-

The petitioners, who apprehend arrest at the hands of the respondent police for the alleged offence punishable under Sections 294(b) and 352 IPC and Section 4 of the Tamil Nadu Prohibition of Women Harassment Act, 2002, in Crime No.361 of 2015, on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that the de facto complainant is the daughter-in-law of the second petitioner and sister-in-law of the first petitioner. On account of family dispute, the present case has been registered.

3. Taking into consideration of the above, I am 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, Pattukottai, on condition that the petitioners 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 first petitioner shall report before the respondent police daily at 06.30 PM for a period of two weeks and thereafter as and when required for interrogation. The second petitioner shall report before the



[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].

The Inspector of Police concerned is directed to send compliance report to the office of the learned Additional Public Prosecutor whether the petitioners are complying with the order or not.

sd/-
20/10/2015

/ TRUE COPY /

Sub-Assistant Registrar

TO

1 THE JUDICIAL MAGISTRATE
PATTUKOTTAI

2 DO THRO THE CHEIF JUDICIAL MAGISTRATE
THANJORE DISTRICT

3 THE INSPECTOR OF POLICE
MADUKKUR POLICE STATION,
THANJAVUR DISTRICT.

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

+1. CC to M/S D.R.MURUGESAN Advocate SR.No.62294.
ORDER
IN
CRL OP(MD) No.20446 of 2015
Date :20/10/2015

AM/20.10.2015/DP/SAR-I/2P/6C