



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

Friday, the Ninth day of January Two Thousand Fifteen

PRESENT

The Hon'ble Mr Justice P.N.PRAKASH

CRL OP(MD) No.23392 of 2014

1 R. JOTHI BASU

2 J. SELVARANI

... PETITIONER/ ACCUSED No.4 & 5

Vs

THE STATE REP. BY THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION, THIRUMANGALAM,
MADURAI DT, CRIME NO. 58 OF 2014 ... RESPONDENT / COMPLAINANT

For Petitioner : M/S.AR.PALANIRAJAN Advocate

For Respondent : Mr.A.P.Balasurbramani Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

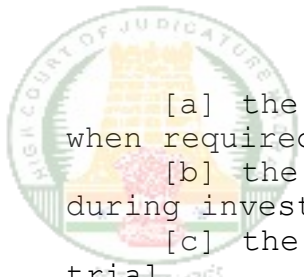
The petitioners, who apprehend arrest at the hands of the respondent police for the alleged offences punishable under Sections 498(A) 406, 294 (b) and 506(i) IPC and Section 4 of the Tamil Nadu Prohibition of Women Harassment Act in Crime No.58 of 2014 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that the first petitioner is the brother-in-law of the first accused - Paramanandi and the second petitioner is the wife of the first petitioner.

3. This Court had already granted Anticipatory Bail to the co-accused, by order dated 30.12.2014 in Crl.O.P[MD].No.23863 of 2014.

4. Taking into consideration of the above and 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 petitioners herein.

5. 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, Thirumangalam, on condition that the petitioners shall execute a bond for a sum of Rs.10,000/- each (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 Judicial 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 Judicial 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/-
09/01/2015

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)

TO

1 THE JUDICIAL MAGISTRATE, THIRUMANGALAM.

2 -Do- Through THE CHIEF JUDICIAL MAGISTRATE, MADURAI.

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

4 THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION, THIRUMANGALAM, MADURAI DISTRICT.

+1. CC to M/S.AR.PALANIRAJAN Advocate SR.No.1022.

TS/12.01.2015/2P-6C

ORDER
IN
CRL OP(MD) No.23392 of 2014
Date :09/01/2015