



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

Thursday, the Twelfth day of February Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice P.N.PRAKASH

CRL OP(MD) No.2412 of 2015

1 YASOTHA
2 VANITHA

... PETITIONERS/ACCUSED No. 1 & 2

Vs

STATE REP BY THE SUB INSPECTOR OF POLICE
SIVAGIRI POLICE STATION,
TIRUNELVELI DISTRICT.
CR. NO.26/2015. ... RESPONDENT/COMPLAINANT

For Petitioner : M/S.P.MUTHUSAMY Advocate
For Respondent : MRS.S.PRABHA Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

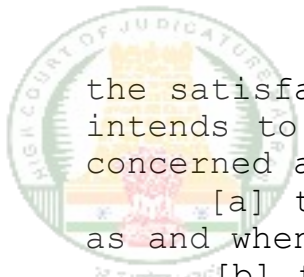
The petitioners, who apprehend arrest at the hands of the respondent police for an alleged offence punishable under Sections 341, 294(b), 323 and 506(i) IPC in Crime No.26 of 2015 on the file of the respondent police, seek anticipatory bail.

2.Heard the learned counsel for the petitioner and the learned Government Advocate (Crl.Side) appearing for the State.

3. The learned counsel for the petitioners submitted that the petitioners are innocent and the first petitioner and the defacto complainant are sisters and a civil dispute is pending between them.

4. The learned Government Advocate (Crl.side) would submit that the victim has sustained only simple injury and the petitioners have no previous case.

5. Considering the facts and circumstances of the case, 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, Sivagiri, on condition that each of 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 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 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 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/-

12/02/2015

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE, SIVAGIRI
- 2 THE CHIEF JUDICIAL MAGISTRATE, TIRUNELVELI
- 3 THE SUB INSPECTOR OF POLICE, SIVAGIRI POLICE STATION, TIRUNELVELI
- 4 THE ADDL PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.P.MUTHUSAMY Advocate SR.No.6670

ORDER

IN

CRL OP(MD) No.2412 of 2015

Date : 12/02/2015

AA/16.02.2015/2p- 6c/