



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

Monday, the Sixteenth day of February Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice P.N.PRAKASH

CRL OP(MD) No.2624 of 2015

1 A. MUBARAKULI
2 M. CHELLAPONNU @ NASREEN BANU
3 B. MARIAMBEEVI

... PETITIONERS/ ACCUSED A1 TO A3

Vs

THE STATE REP.BY
THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION, MANAMADURAI,
SIVAGANGAI DT, CRIME NO.5/2015

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.M. MATTURAJAN Advocate

For Respondent : MR.P.KANNITHEVAN, Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

Apprehending arrest at the hands of the respondent police in Crime No.5 of 2015, on the file of the respondent police for offences under Sections 498(A), 294(b), 406, 506(i) IPC and Section 4 of Tamilnadu Women Harassment Act, the petitioners are now before this Court seeking Anticipatory Bail.

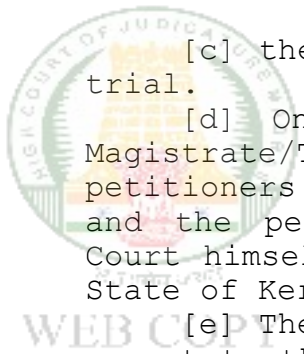
2. Heard the learned counsel for the petitioners and the learned Government Advocate for the respondents.

3. It is the case of the petitioners that the de-facto complainant has got married to the first petitioner on 29.10.2010 and they have one child through the wedlock. On a reading of the complaint, the allegations are not indeed very serious and relying upon Arnesh Kumar Vs.State of Bihar reported in 2014 (8) Scale 250, this Court is inclined to grant anticipatory bail to the petitioners, but with conditions.

4. Accordingly, the petitioners are ordered to be released on bail, in the event of arrest or on their appearance, within a period of fifteen (15) days from the date of receipt of a copy of this order, before the learned Judicial Magistrate, Manamadurai, on executing a separate 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 every day at 6.30 p.m. for a period of two weeks and thereafter as and when required for interrogation and the second petitioner 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].

[e] The Inspector of Police concerned is directed to send compliance report to the office of the learned Government Advocate (Crl. Side) as to whether the petitioners are complying with the condition or not.

sd/-

16/02/2015

/ TRUE COPY /

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

TO

1.THE JUDICIAL MAGISTRATE,MANAMADURAI.

2.DO THRO THE CHEIF JUDICIAL MAGISTRATE, SIVAGANGAI.

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

4.THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION, MANAMADURAI, SIVAGANGAI DISTRICT.

+1. CC to M/S.M. MATTURAJAN Advocate SR.No.7069

ORDER

IN

CRL OP(MD) No.2624 of 2015

Date :16/02/2015

RG.17.02.2015

2P.6C.