



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

Monday, the Twenty Third day of February Two Thousand Fifteen

PRESENT

WEB COPY

The Hon`ble Mr Justice P.N.PRAKASH

CRL OP(MD) No.3056 of 2015

1 RAJKUMAR
2 BADMA
3 SUNDARAM

... PETITIONERS /ACCUSED 1 TO 3

Vs

THE STATE REP.BY
THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
BODINAYAKKANUR, THENI DISTRICT.
CRIME NO.1/2015.

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.S.M.ANANTHA MURUGAN Advocate

For Respondent : M/S.A.P.BALASUBRAMANIAN, 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 for the alleged offences punishable under Section 498(A) IPC and Section 4 of TNPWH Act and Section 4 of DP Act in Crime No.1 of 2015 on the file of the respondent police, the petitioners have come forward with this petition seeking anticipatory bail.

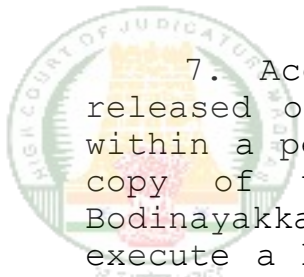
2. Heard the learned counsel on either side.

3. The first petitioner got married to the defacto complainant on 30.10.2014 and thereafter, they are separated.

4. Since the allegations against the first petitioner indeed serious in nature, the learned counsel for the petitioners seeks permission of this Court to withdraw this petition, in respect of the first petitioner is concerned.

5. Permission is granted. This petition is dismissed as withdrawn as regards the first petitioner.

6. As regards the petitioners 2 and 3, they are the parents of the first petitioner. Therefore, 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 3 and 4 herein.



7. Accordingly, the petitioners 2 and 3 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, Bodinayakkanur, Theni District on condition that the petitioners 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 2 and 3 shall report before the respondent police as and when required for interrogation;

[b] the petitioners 2 and 3 shall not tamper with evidence or witness either during investigation or trial;

[c] the petitioners 2 and 3 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 2 and 3 in accordance with law, as if the conditions have been imposed and the petitioners 2 and 3 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]**.

sd/-

23/02/2015

/ TRUE COPY /

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

TO

1 THE JUDICIAL MAGISTRATE,
BODINAYAKKANUR, THENI DISTRICT.

2 -DO-THRO' THE CHIEF JUDICIAL MAGISTRATE, THENI.

3 THE INSPECTOR OF POLICE, ALL WOMEN POLICE STATION,
BODINAYAKKANUR, THENI DISTRICT.

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

+1. CC to M/S.S.M.ANANTHA MURUGAN, Advocate SR.No.8612.