



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Monday, the Twenty Third day of February Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice P.N.PRAKASH

CRL OP(MD) No.3140 of 2015

WEB COPY

1 GANDHIKARAIYALAR @ GANDHI

2 ARUMUGAMMAL @ ARUMUGAM

..PETITIONERS/ACCUSED 2 & 3

Vs.

STATE REP.BY THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION, AMBASAMUDRAM,
TIRUNELVELI DISTRICT.
CRIME NO.67/2012

..RESPONDENT/COMPLAINANT

For Petitioner : M/S.M.SURESH Advocate (No appearance)

For Respondent : Mr.A.P.BALASUBRAMANI, Government 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) and 506(i) IPC and Section in Crime No.67 of 2012 on the file of the respondent police, the petitioners have come forward with this petition seeking anticipatory bail.

2. No representation for the petitioners.

3. The learned Additional Government Pleader appearing for the respondent police on instructions would submit that final report has been filed on 07.12.2012. He would further submit that A1 in this case, who is the husband of the defacto complainant was arrested and released on bail. These petitioners are only the parents of the first accused.

4. Under such circumstances, 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.

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 (15) days from the date of receipt of a copy of this order, before the learned Judicial Magistrate, Ambasamudram, Tirunelveli 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 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;

<https://hcservices.ecourts.gov.in/hcservices> 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].

sd/-

23/02/2015

WEB COPY

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)

TO

1 THE JUDICIAL MAGISTRATE, AMBASAMUDRAM, TIRUNELVELI DISTRICT.

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

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

4 THE INSPECTOR OF POLICE, ALL WOMEN POLICE STATION, AMBASAMUDRAM,
TIRUNELVELI DISTRICT.

+1. CC to M/S.M.SURESH Advocate SR.No.7989

ORDER IN

CRL OP(MD) No.3140 of 2015

Date :23/02/2015

PBK 24/02/2015 ::2P-6C: