



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

Monday, the Second day of March Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice P.N.PRAKASH

CRL OP(MD) No.3574 of 2015

1 M. SAKTHIVEL
2 S. VALLIYAMMAI
3 S. DANALAKSHMI

... PETITIONERS / ACCUSED 1-3

Vs

THE STATE REP.BY
THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION, THIRUMAYAM,
CRIME NO.2/2015 ... RESPONDENT/ COMPLAINANT

For Petitioner : M/S.V.JANAKIRAMULU Advocate

For Respondent : MR.A.P.BALASUBRAMANIAN, 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 498-A and 406 IPC in Crime No.2 of 2015 seek anticipatory bail.

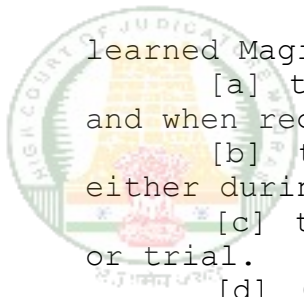
2. Heard the learned counsel for the petitioners and the learned Government Advocate (Crl. side) appearing for the respondent. The respondent police is also present.

3.The case of the prosecution is that the defacto complainant got married to one Srinivasan the first accused on 15.05.2002 and they have one child through the wedlock. On account of matrimonial dispute the relationship between the spouses got strained and the compliant of the defacto complaiannat has been registered.

4. The learned Government Advocate (Crl.sde) submits that the first accused was arrested on 24.02.2015 and he has been released on bail.

5. The learned counsel for the petitioners submitted that the petitioners are in-laws of the defacto complainant .

6. In view of the judgment of Hon'ble Supreme Court in **Arnesh Kumar vs. State of Bihar and Another reported in (2014) 3 MLJ (Crl) (SC)**, 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, Thirumayam, on condition that each of the petitioner shall execute a bond <https://hservices.ecourts.gov.in/hservices/> 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 appear 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/-

02/03/2015

/ TRUE COPY /

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

TO

1.THE JUDICIAL MAGISTRATE, THIRUMAYAM.

2.DO THRO THE CHIEF JUDICIAL MAGISTRATE, RAMANATHAPURAM.

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

4.THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION, THIRUMAYAM

+1. CC to M/S.V.JANAKIRAMULU Advocate SR.No.10039

ORDER

IN

CRL OP(MD) No.3574 of 2015

Date :02/03/2015

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