



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.3698 of 2015

1 KANNAN

2 KARUPPIAH

3 NAGAMMAL

... PETITIONER(S) / ACCUSED 1 to 3

Vs

THE STATE REP. BY THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION, SAMAYANALLUR,
MADURAI DISTRICT. CR. NO.30/2015. ... RESPONDENT / COMPLAINANT

For Petitioner : M/S.R.MURUGAPPAN Advocate

For Respondent : M/S.A.P.BALASUBRAMANI Government Advocate (Crl. Side)

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

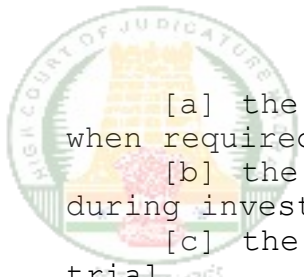
ORDER : The Court Made the following order :-

The petitioners, who apprehend arrest at the hands of the respondent police for an alleged offence punishable under Section 498-A IPC and Section 4 of TamilNadu Prevention of Women from Harassment Act in Crime No.30 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 first petitioner got married to the defacto complainant twenty years back and they have two children through the wedlock and five years back the defacto complainant got separated from her husband and since then she is living with her parents. Now the defaco complainant has lodged a complaint making allegations against her husband and her parents in law.

4. On a reading of the complaint this Court is of the view that it is a fit case 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 No.V, Madurai, 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 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].

sd/-
02/03/2015

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)

TO

1 THE JUDICIAL MAGISTRATE, NO.V, MADURAI.

2 Do - Through THE CHIEF JUDICIAL MAGISTRATE, MADURAI.

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

4 THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION, SAMAYANALLUR, MADURAI DISTRICT.

+1. CC to M/S.R.MURUGAPPAN Advocate SR.No. 9878.

TS/03.03.2015/2P-6C

ORDER
IN
CRL OP(MD) No.3698 of 2015
Date :02/03/2015