



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Tuesday, the Thirteenth day of January Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice P.N.PRAKASH

CRL OP(MD) No.465 of 2015

1 N. VEERAPPAN
2 C. NAGAPPAN
3 N. CHINNAMMAL
4 A. PALANIYAYEE

..PETITIONERS/ACCUSED 1 to 4

Vs.

STATE REP.BY THE INSPECTOR OF POLICE
TIRUPPATHUR ALL WOMEN POLICE STATION,
SIVAGANGAI DISTRICT.
CRIME NO.8/2014

..RESPONDENT/COMPLAINANT

For Petitioner : M/S.S.VANCHINATHAN Advocate

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 :-

The petitioners, who apprehend arrest at the hands of the respondent police for the alleged offences punishable under Sections 498(A), 355, 506(i) IPC and Section 4 of the Prevention of Women Harassment Act r/w Section 4 of TDP Act Code in Crime No.8 of 2014 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that the first petitioner got married to the *de facto* complainant and they have a child. It is seen that there was a matrimonial dispute between the spouses and the first petitioner filed H.M.O.P.No.104 of 2014 on the file of the Sub Court, Sivagangai, for divorce. In the meantime, the *de facto* complainant had lodged a complaint and on the basis of a direction issued by this Court, on a petition filed by the *de facto* complainant, the present case has been registered, on 02.12.2014.

3. Taking into consideration of the above and 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 herein.

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 days from the date of receipt of a copy of this order, before the learned Judicial Magistrate, Tiruppathur, Sivagangai District, on condition that the petitioners shall execute a bond for a sum of Rs.10,000/- each (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 1 and 2 shall report before the respondent police twice a day at 10:30 in the morning and 06:30 in the evening for a period of two weeks and thereafter as and when required for interrogation. The petitioners 3 and 4 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 Judicial 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 Judicial 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/-

13/01/2015

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)

TO

1 THE JUDICIAL MAGISTRATE, TIRUPPATHUR, SIVAGANGAI DISTRICT.

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

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

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

+1. CC to M/S.S.VANCHINATHAN Advocate SR.No.1808

ORDER IN

CRL OP(MD) No.465 of 2015

Date :13/01/2015

PBK 19/01/2015 ::2P-6C: