



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Tuesday, the Twenty Fourth day of March Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice P.N.PRAKASH

CRL OP(MD) No.4701 of 2015

WEB COPY

1 MUTHUKRISHNAN
2 JEEVA
3 VENKATESH
4 RAMESH

..PETITIONERS/ACCUSED 1, 5 to 7

Vs.

STATE REP.BY INSPECTOR OF POLICE
KALLIDAIKURICHI POLICE STATION,
TIRUNELVELI DISTRICT.
CR. NO. 19 OF 2015

..RESPONDENT/COMPLAINANT

For Petitioner : M/S.T.A.EBENEZER Advocate

For Respondent : Mr.P.KANDASAMY, Government Advocate (Criminal 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 147, 294(b), 506 (ii) IPC and Section 4 of Tamil Nadu Prohibition of Harassment of Women Act and Sections 11 and 12 of Protection of Children from Sexual Offences Act, 2012 in Crime No.19 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 investigating Officer is also present.

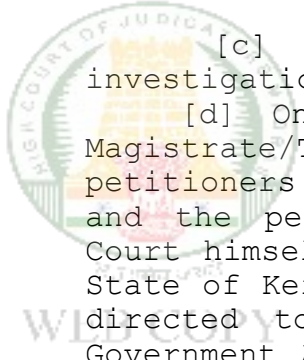
3. It is the case of the prosecution that one Muthukrishnan(A1) has been continuously harassing the defacto complainant asking her love him. In this regard, the defacto complainant informed her brothers and parents and when they questioned the said Muthukrishnan, he started abusing the defacto complainant. It is seen that the respondent police have arrested accused 2, 3 and 4.

4. Since the allegations against the first petitioner/A1 are very serious this Court is not inclined to grant anticipatory bail to him. This petition as against the first petitioner is dismissed.

5. As regards other petitioners, since the allegations against them are not serious, I am inclined to grant anticipatory bail to the petitioners 2 to 4. Accordingly, the petitioners 2 to 4 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, Ambasamudram, 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 2 to 4 shall appear before the respondent police as soon as required for interrogation.

[b] the petitioners 2 to 4 shall not tamper with evidence or witness either during investigation or trial.



[c] the petitioners 2 to 4 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 petitioner is complying with the order or not.

sd/-
24/03/2015

/ 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,KALLIDAIKURICHI POLICE STATION,
TIRUNELVELI DISTRICT.

+1. CC to M/S.T.A.EBENEZER Advocate SR.No.14308

ORDER IN

CRL OP(MD) No.4701 of 2015

Date :24/03/2015

PBK 25/03/2015 ::2P-6C: