



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Thursday, the Nineteenth day of March Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice P.N.PRAKASH

CRL OP(MD) No.4748 of 2015

1 NEELAKANNAN

2 NAGAVALLI

3 DHARANI

..PETITIONERS/ACCUSED 1 TO 3

Vs.

STATE REP.BY THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION, PARAMAKUDI,
RAMANATHAPURAM DISTRICT.
(CRIME NO. 10 OF 2015)

..RESPONDENT/COMPLAINANT

For Petitioner : M/S.S.K.PATTURAJA 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, 406, 494, 506(i) IPC r/w 109 IPC, in Crime No.10 of 2015, on the file of the respondent police, seek anticipatory bail.

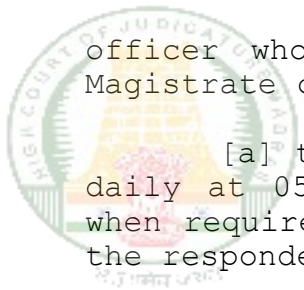
2. Heard the learned counsel for the petitioners and the learned Government Advocate (Criminal side) for the respondent State. The respondent police is present in Court today.

3. It is the case of the *defacto* complainant that the first petitioner got married to the *defacto* complainant on 10.09.2007 and they have two children through the wedlock. Thereafter, the *defacto* complainant was subjected to cruelty and the first petitioner abandoned her and the children. It is also represented that the first petitioner has got married to one Nandhini, who has been arrayed as sixth accused.

4. In view of the above, since the allegations against the first petitioner herein are indeed very serious, this Court is not inclined to grant anticipatory bail to the first petitioner. Hence, the petition seeking anticipatory bail is dismissed as against the first petitioner herein.

5. As regards the second and third petitioners, who are mother and sister of the first petitioner, the allegations are not very serious and, therefore, this Court is inclined to grant anticipatory bail to them.

6. Accordingly, the petitioners 2 and 3 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, Paramakudi, Ramanathapuram District, on <https://hcservices.courts.gov.in/hcservices> the petitioners 2 and 3 shall execute a separate 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 second petitioner shall report before the respondent police daily at 05.30 p.m., for a period of two weeks and thereafter, as and when required for interrogation. The third petitioner shall report before the respondent police as and when required for interrogation.

[b] the petitioners 2 and 3 shall not tamper with evidence or witness either during investigation or trial.

[c] the petitioners 2 and 3 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 2 and 3 in accordance with law as if the conditions have been imposed and the petitioners 2 and 3 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]**.

[e] The Inspector of Police concerned is directed to send a compliance report to the Office of the learned Government Advocate (Criminal side), whether the second petitioner is complying with the order or not.

sd/-
19/03/2015

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)

TO

1 THE JUDICIAL MAGISTRATE, PARAMAKUDI, RAMANATHAPURAM DISTRICT

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, PARAMAKUDI,
RAMANATHAPURAM DISTRICT.

+1. CC to M/S.S.K.PATTURAJA Advocate SR.No.13156

ORDER IN

CRL OP(MD) No.4748 of 2015

Date :19/03/2015

PBK 20/03/2015 ::2P-6C: