



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

Thursday, the Twenty Sixth day of March Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice P.N.PRAKASH

CRL OP (MD) No.4776 of 2015

1 UDHAYAN
2 RAJAMMAL
3 NANDHINI

... PETITIONERS/ACCUSED NOS.4 TO 6

Vs

THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION,
PARAMAKUDI, RAMANATHAPURAM DIST.
(CRIME NO. 10 OF 2015)

... RESPONDENT/ COMPLAINANT

For Petitioner : M/S.A.VADIVEL Advocate
For Respondent : M/S.A.P.BALASUBRAMANIAN
Govt. Advocate (Crl. Side)

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

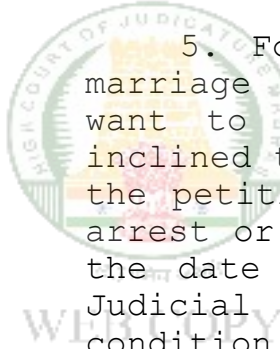
ORDER : The Court Made the following order :-

The petitioners, who apprehend arrest at the hands of the respondent police for an alleged offence punishable under Sections 498-A, 406, 494, 506(i) IPC r/w 109 IPC in Crime No.10 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 present.

3. It is submitted that the first accused along with two others have filed another application in Crl.O.P.No.4748 of 2015. On 19.03.2015 this Court had dismissed the anticipatory bail application against the first accused and granted anticipatory bail to others.

4. It is the case of the defacto complainant that Nellakannan (A1) is her husband and that he had abandoned her and had married one Nandhini(A6) who is the daughter of Udayan(A4) and Rajammal(A5). Accused 4, 5 and 6 are the petitioners before this Court. The allegations against them is that, accused 5 and 6 have given their daughter(A4) in second marriage to Neelakannan(A1). Apart from that, there are no other allegations against them.



5. For the sin of the first accused in contracting a second marriage abandoning the defacto complainant, this Court does not want to penalize the petitioners herein. Hence, this Court is 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, Paramakudi, Ramanathapuram District, 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 first petitioner shall appear before the respondent police daily at 6.30 p.m for a period of two weeks and thereafter, as and when required for interrogation. The petitioners 2 and 3 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 petitioner is complying with the order or not.

sd/-
26/03/2015

/ TRUE COPY /

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

TO

- 1.THE JUDICIAL MAGISTRATE, PARAMAKUDI, RAMANATHAPURAM DISTRICT
 - 2.DO THROUGH THE CHIEF JUDICIAL MAGISTRATE
RAMANATHAPURAM DISTRICT
 - 3.THE ADDITIONAL 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.A.VADIVEL Advocate SR.No.15072
RL/6 C- 30/3/2015

ORDER
IN
CRL OP(MD) No.4776 of 2015
Date :26/03/2015