



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

Wednesday, the Twenty Fifth day of March Two Thousand Fifteen
PRESENT

The Hon`ble Mr.Justice P.N.PRAKASH

CRL OP(MD) No.5501 of 2015

WEB COPY

1 S.EKAMBARAM
2 E.KAMATCHI
3 P.SARASWATHI KANCHANA

... PETITIONERS/ACCUSED NO.1 TO 3

Vs

STATE REP.BY
THE SUB INSPECTOR OF POLICE
NORTH POLICE STATION, THOOTHUKUDI.
CR. NO.147/2015.

... RESPONDENT/COMPLAINANT

For Petitioner : M/S. PALA. RAMASAMY Advocate

For Respondent : MR.A.P.BALASUBRAMANIAN, Govt. Advocate (Crl. Side)

PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.
ORDER : The Court Made the following order :-

Apprehending arrest at the hands of the respondent police in Crime No.147 of 2015, on the file of the respondent police for the offence under Section 379 IPC, the petitioners are now before this Court seeking Anticipatory Bail.

2. Heard the learned counsel for the petitioner and the learned Government Advocate (crl. side).

3. Pursuant to the direction of this Court in Crl.O.P.(MD)No.1423 of 2014, this case has been registered against the petitioner.

4. The defacto complainant is one Sornam and her son Prabakaran is the husband of Saraswathi Kanchana (A3). Now it is alleged by the defacto complainant, who is the mother-in-law of Saraswathi Kanchana and the said Saraswathi Kanchana and her parents Ekambaram (A1) and Kamatchi (A2) had entered into the house of the defacto complainant and taken away some utensils.

5. Taking into consideration of the nature of the allegations, this Court is of the view that this is a fit case for granting anticipatory bail to the petitioners, but with conditions.



6. Accordingly, the petitioners are ordered to be released on bail, in the event of arrest or on their appearance before the learned Judicial Magistrate No.II, Thoothukudi on executing 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 petitioners 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 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/-
25/03/2015

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE NO.II,
THOOTHUKUDI.
- 2 DO-THRO' THE CHIEF JUDICIAL MAGISTRATE,
THOOTHUKUDI.
- 3 THE SUB INSPECTOR OF POLICE
NORTH POLICE STATION, THOOTHUKUDI.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,MADURAI.

ORDER
IN
CRL OP(MD) No.5501 of 2015
Date :25/03/2015