



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.5574 of 2015

WEB COPY

1 PATTUMARIYAMMAL
2 VIJAYA
3 SHANTHI
4 KUPPAMMAL

... PETITIONER/ACCUSED NO.1 TO 4

Vs

STATE REP BY
THE INSPECTOR OF POLICE
CENTRAL POLICE STATION,
TUTICORIN DISTRICT.
CR. NO.104/2015.

... RESPONDENT/COMPLAINANT

For Petitioner : MR.A.S.VAIGUNTH for
M/S.K.SEEMARAJ Advocate

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

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

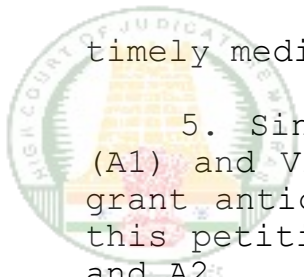
ORDER : The Court Made the following order :-

Apprehending arrest at the hands of the respondent police in Crime No.104 of 2015, on the file of the respondent police for the offences under Sections 294(b), 323, 506(ii) and 306 r/w 511 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. This is the second anticipatory bail application and the first application was dismissed as withdrawn in Crl.O.P.(MD)No.3677 of 2015 on 09.03.2015.

4. The defacto complainant in this case is one Esakkiammal. Pattumariyammal (A1) was running a chit, in which, Esakkiammal was a subscriber and she had paid money to Pattumariyammal. When Esakkiammal demanded the payment from Pattumariyammal (A1), Pattumariyammal did not return the money and therefore, Esakkiammal had lodged a complaint against Pattumariyammal before the respondent police. Aggrieved by that, it is alleged by the defacto complainant that Pattumariyammal and her friends had abused Esakkiammal and had threatened her for withdrawing the complaint lodged against Pattumariyammal. On account of this, Esakkiammal had to undergo abortion and she consumed poison to commit suicide and on account of



timely medical intervention Esakkiammal was saved.

5. Since the allegations in this case against Pattumariyammal (A1) and Vijaya (A2) are indeed very serious, I am not inclined to grant anticipatory to the petitioners 1 and 3/A1 and A2 and hence, this petition is dismissed in respect of the petitioners 1 and 3/A1 and A2.

6. As regards the petitioners 2 and 4/A4 and A3, this Court is of the view that this is a fit case to grant anticipatory bail to them, but with conditions.

7. Accordingly, the petitioners 2 and 4/A4 and A3 are ordered to be released on bail, in the event of arrest or on their appearance before the learned Judicial Magistrate No.II, Tuticorin 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 2 and 4/A4 and A3 shall report before the respondent police daily at 10.30 a.m. for a period of four weeks and thereafter as and when required for interrogation.

[b] the the petitioners 2 and 4/A4 and A3 shall not tamper with evidence or witness either during investigation or trial.

[c] the the petitioners 2 and 4/A4 and A3 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 the petitioners 2 and 4/A4 and A3 in accordance with law as if the conditions have been imposed and the the petitioners 2 and 4/A4 and A3 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.)

TO

- 1 THE JUDICIAL MAGISTRATE, NO.II, TUTICORIN
- 2 -DO-THRO'THE CHIEF JUDICIAL MAGISTRATE TUTICORIN
- 3 THE INSPECTOR OF POLICE CENTRAL POLICE STATION,
TUTICORIN DISTRICT.
- 4 THE ADDL.PUBLIC PROSECUTOR MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

+1. CC to M/S.K.SEEMARAJ Advocate SR.No.13019

ORDER IN
CRL OP(MD) No.5574 of 2015
Date :25/03/2015