



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

Wednesday, the Twenty Eighth day of January Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice P.N.PRAKASH

CRL OP(MD)Nos.595 & 596 of 2015

WEB COPY

1 LEELAVATHI
2 NADHIYA

...PETITIONERS/ACCUSED NO.1 & 2
IN CRL OP(MD)No.595 of 2015

KRISHNAVENI

...PETITIONER / ACCUSED NO.3
IN CRL OP(MD)No.596 of 2015

Vs.

THE STATE REP BY
THE INSPECTOR OF POLICE
CITY CRIME BRANCH,
TIRUNELVELI CITY.
CR. NO. 33/2014.

...RESPONDENT/COMPLAINANT
IN BOTH PETITIONS

For Petitioner : M/S.T.ANBUKUMARAN Advocate
IN CRL OP(MD)No.595 of 2015

For Petitioner : M/S.K.SAMIDURAI Advocate
IN CRL OP(MD)No.596 of 2015

For Respondent : MR.C.RAMESH Govt. Advocate (Crl. Side)
IN BOTH PETITIONS

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

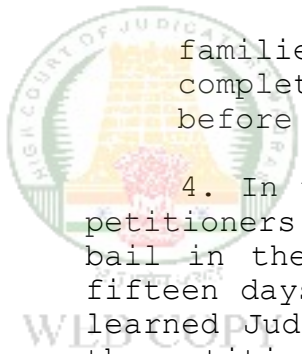
ORDER : The Court Made the following order :-

The petitioners, who apprehend arrest at the hands of the respondent police for the alleged offences punishable under Sections 406 and 420 IPC in Crime No.33 of 2014 on the file of the respondent police, seek anticipatory bail.

2. Heard the learned counsel for the petitioners and the learned Additional Public Prosecutor appearing for the State. The Investigating Officer is also present in this Court.

3. This Court granted interim anticipatory bail to these petitioners on 13.01.2015 with a direction to them to appear before the respondent police for two weeks. Today, the respondent Police have filed a status report. It is represented by the learned Additional Public Prosecutor that pursuant to the orders of this Court, the petitioners appeared before the respondent police and took part in the investigation. In Paragraph No.6 of the status report, it is stated as follows:

"6. It is submitted that the witnesses examined in this case and the documents collected collectively go to substantiate that no such occurrence took place at Nellaiappar Temple, Tirunelveli on 02.07.2012 and the complaint seems to be given on motivation due to the existing inimical terms between the two



families of the petitioners and the defacto complainant. After completion of the investigation, final report would be submitted before the Court at the earliest."

4. In view of this, I am 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 No.1, Tirunelveli, 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 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]**.

5. This Court places on record its appreciation to the Inspector of Police, City Crime Branch, Tirunelveli City, for conducting a fair and proper investigation and also for filing the status report as directed by this Court.

sd/-
28/01/2015

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)

TO

- 1 THE JUDICIAL MAGISTRATE, NO.I, TIRUNELVELI
- 2 -DO-THRO'THE CHIEF JUDICIAL MAGISTRATE TIRUNELVELI DISTRICT
- 3 THE INSPECTOR OF POLICE, CITY CRIME BRANCH, TIRUNELVELI CITY.
- 4 THE ADDL.PUBLIC PROSECUTOR, MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

Copy to: The Commissioner of Police,
Commissioner of Police Office, Tirunelveli City.

+1. CC to M/S.T.ANBUKUMARAN Advocate SR.No.3824

+1CC to M/s.K.Samidurai, Advocate in SR.3823

ORDER IN
CRL OP(MD)Nos.595 & 596 of 2015
Date :28/01/2015

PBK 30/01/2015 ::2P-8C: