



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

Wednesday, the Twentieth day of January Two Thousand Sixteen

PRESENT

The Hon`ble Ms.Justice V.M.VELUMANI

CRL OP (MD) No.24184 of 2015

1 JEEVA
2 UMAPATHI
3 GEETHA
4 VIJAYA BABU

... PETITIONERS/ACCUSED RANK NOT KNOWN

Vs

THE STATE OF TAMIL NADU
1 THE INSPECTOR OF POLICE
PARAMAKUDI TOWN POLICE STATION,
PARAMAKUDI,
RAMANATHAPURAM DISTRICT,
CRIME NO NOT KNOWN /2015.

... RESPONDENT/COMPLAINANT

For Petitioner : M/S R.BOOMINATHAN Advocate

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

For Intervenor : MR.R.ILLAYARAJA, Advocate

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

ORDER : The Court Made the following order :-

The petitioners, who are arrayed as accused, apprehend arrest at the hands of the respondent police for the alleged offences punishable under Sections 448 and 380 (NH) of IPC, in Crime No.528 of 2015 on the file of the respondent police and hence, seek anticipatory bail.

2.The case of the prosecution is that the defacto complainant is working as a Teacher in Government Higher Secondary School. The first petitioner and the defacto complainant are husband and wife. Due to the dispute between them, they were living separately. On 05.12.2015, the petitioners trespassed into the defacto complainant's house and taken a sum of Rs.2,15,000/- and jewels totally measuring 8 sovereigns and Educational Certificates. On the complaint given by the defacto complainant, the case has been registered for the above said offences.

3.The case of the petitioners is that they are innocent persons and they have not committed any offence as alleged by the prosecution. The first petitioner is the wife, second petitioner is the brother-in-law, third petitioner is the wife of second petitioner and the fourth petitioner is the brother of the defacto complainant. The defacto complainant is having illicit relationship with his student and due to that, the first petitioner has given a complaint before the Inspector of Police, Paramakudi and due to that motive only, he has given a false complaint against the petitioners.



4.The learned Government Advocate (Crl.side) submitted that the petitioners trespassed into the defacto complainant's house and taken a sum of Rs.2,15,000/- and jewels totally measuring 8 sovereigns and educational certificates.

5.Considering the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioners, with certain conditions. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance before the learned Judicial Magistrate, Paramakudi and on each of them executing 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 learned Magistrate concerned and on further condition that the petitioners shall appear before the respondent police as and when required. The petitioners shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously.

6. The petitioners shall appear before the concerned Magistrate within a period of 15 days from the date on which the order copy made ready, failing which, the petition for anticipatory bail stands dismissed.

sd/-

20/01/2016

/ TRUE COPY /

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

TO

1 THE JUDICIAL MAGISTRATE ,PARAMAKUDI.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,RAMANATHAPURAM DISTRICT.

3 THE INSPECTOR OF POLICE,PARAMAKUDI TOWN POLICE STATION,PARAMAKUDI,
RAMANATHAPURAM DISTRICT.

4 THE ADDITIONAL PUBLIC PROSECTUOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S JEYAKARTHIK, Advocate SR.No.3248

AM

CSL/JGB-DP/SAR-II/22.01.2016/2P/6C

ORDER

IN

CRL OP(MD) No.24184 of 2015

Date :20/01/2016