



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

Tuesday, the Twenty Sixth day of July Two Thousand Sixteen
PRESENT

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

CRL OP (MD) No.12060 of 2016

WEB COPY

1 R.MANOCHARAN
2 R.THANGAMMAL
3 P.MAHESWARI
4 PARAMAN

... PETITIONERS/ACCUSED No.1 TO 4

Vs

STATE REP.BY
THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION,
TIRUMANGALAM, MADURAI DISTRICT.
(CRIME NO. 46/2015)

... RESPONDENT/ COMPLAINANT

For Petitioner : M/S.B.CHANDRAMOHAN Advocate

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

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

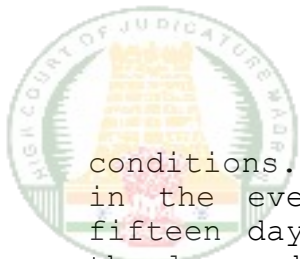
ORDER : The Court Made the following order :-

The petitioners, who are arrayed as Accused No.1 to 4, apprehend arrest at the hands of the respondent police for the offences punishable under Sections 498(A) and 506(i) IPC, in Crime No.46 of 2015, on the file of the respondent police and hence, seek anticipatory bail.

2.It is submitted by the learned counsel for the petitioners that the petitioners are an innocent persons and they have not committed any offence as alleged by the prosecution. Further, the petitioners have already filed Crl.O.P(MD)No.9185 of 2015 for anticipatory bail before this Court and this Court vide order dated 08.07.2015, granted anticipatory bail to them. Subsequently, the second petitioner fell ill and she was admitted in a hospital at Trivandrum for her heart problem. Due to that, all the other petitioners were attending her and they could not produce the sureties before the Judicial Magistrate in time. Hence, the petitioners have come up with the present petition. The learned counsel for the petitioners further submitted that the first petitioner had already filed H.M.O.P.No.416 of 2015 against the de facto complainant before the Family Court, Madurai for restitution of conjugal rights and if the petitioners are granted anticipatory bail, they will arrange surety within a period of 15 days.

3.The learned Government Advocate (Criminal side) submitted that investigation has been completed and charge sheet has not been filed.

4.Considering the facts and circumstances of the case and also the considering fact that this Court has already granted anticipatory bail to the petitioners vide order dated 08.07.2015 made in Crl.O.P(MD) No.9185 of 2015 and investigation has been completed, this Court is inclined to grant anticipatory bail to the petitioners with certain



conditions. Accordingly, the petitioners 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, Tirumangalam, on condition that each of the petitioners shall execute a bond for a sum of Rs.10,000/- (Rupees ten thousand only) with two sureties for a like sum to the satisfaction of the respondent Police or to the Police Officer, who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further condition that:

- (i) the first petitioner shall report before the respondent Police daily at 10.00 a.m. until further orders and the petitioners 2 to 4 shall report before the respondent police as and when required for interrogation.
- (ii) the petitioners shall not tamper with evidence or witness either during investigation or trial.
- (iii) the petitioners shall not abscond either during investigation or trial.
- (iv) 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. The Inspector of Police concerned is directed to send a compliance report to the office of the learned Government Advocate, as to whether the first petitioner is complying with the conditions or not.

sd/-

26/07/2016

/ TRUE COPY /

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

TO

1 THE JUDICIAL MAGISTRATE, TIRUMANGALAM.

2 DO-THRO' THE CHIEF JUDICIAL MAGISTRATE, MADURAI DISTRICT.

3 THE INSPECTOR OF POLICE

ALL WOMEN POLICE STATION, TIRUMANGALAM, MADURAI DISTRICT.

4 THE ADDITIONAL PUBLIC PROSECUTOR,

MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.B.CHANDRAMOHAN Advocate SR.No.39493

ORDER IN

CRL OP(MD) No.12060 of 2016

Date : 26/07/2016