



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

Monday, the First day of August Two Thousand Sixteen

PRESENT

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

CRL OP(MD) No.13425 of 2016

1 B. PITCHANDI

2 MALLIGA

... PETITIONERS/ACCUSED RANK NOT KNOWN

Vs

STATE REP BY THE INSPECTOR OF POLICE

VEERAVANALLUR POLICE STATION,

VEERAVANALLUR, TIRUNELVELI DISTRICT.

CR.NO. 100 OF 2015

... RESPONDENT/COMPLAINANT

For Petitioner : M/S S.KRISHNAN 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 :-

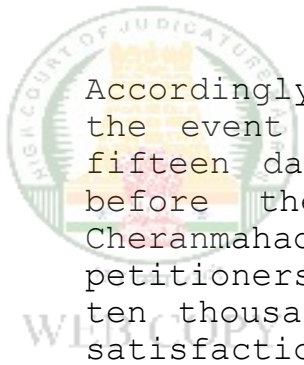
The petitioners who are arrayed as accused, apprehend arrest at the hands of the respondent police for an alleged offence punishable under Sections 294(b), 355, 323 and 506(i) of IPC and r/w. Section 4 of Tamil Nadu Prohibition of Harassment of Women Act, 2002 in Crime No.100 of 2016, seek anticipatory bail.

2. The case of the prosecution is that due to family dispute, the petitioners harassed the defacto complainant both mentally and cruelly and on complaint, a case has been registered against the petitioners.

3. The learned counsel for the petitioners submitted that the earlier petition filed by the petitioners in Crl.O.P(MD).No.13425 of 2010 was dismissed for default on 14.07.2016 and this is the second anticipatory bail petition. He further submitted that the petitioners are innocent and they have not committed any offence as alleged by the prosecution and their names have been falsely implicated in this case.

4. The learned Government Advocate (Crl. Side) submitted that this is the family dispute and the investigation of the case is pending.

5. Considering the facts and circumstances of the case, 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 District Munsif cum Judicial Magistrate, Cheranmahadevi, Thirunelveli District 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 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 first petitioner shall report before the respondent police daily at 10.00 am until further orders and the second petition being lady shall appear 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].

6.The Inspector of Police concerned is directed to send a compliance report to the office of the learned Government Advocate, as to whether the petitioners are complying with the condition or not.

sd/-
01/08/2016

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE, CHERANMAHADEVI, THIRUNELVELI
 - 2 THE CHIEF JUDICIAL MAGISTRATE, THIRUNELVELI
 - 3 THE INSPECTOR OF POLICE
VEERAVANALLUR POLICE STATION, VEERAVANALLUR, TIRUNELVELI DISTRICT.
 - 4 THE ADDL PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- +1. CC to M/S S.KRISHNAN Advocate SR.No.41100

ORDER IN
CRL OP(MD) No.13425 of 2016
Date :01/08/2016