



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

Tuesday, the Second day of August Two Thousand Sixteen
PRESENT

The Hon`ble Ms.Justice V.M.VELUMANI
CRL OP(MD) No.13500 of 2016

1 MUTHUKANNAN
2 CHELLAMMAL
3 THIAGARAJAN,
4 NAGARAJAN,

...PETITIONERS/ACCUSED

Vs

THE STATE REP.BY
THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION,
PATTUKKOTTAI,
THANJAVUR DISTRICT
R. NO. 11 OF 2015

... RESPONDENT/ COMPLAINANT

For Petitioner : M/S S.DEENADHAYALAN 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 :-

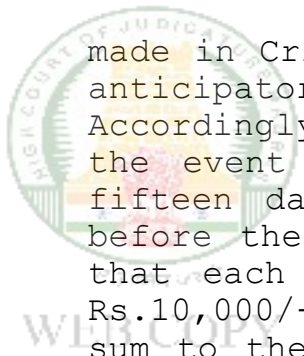
The petitioners, who are arrayed as Accused, apprehend arrest at the hands of the respondent police for the offences punishable under Sections 406, 498-A and 506(i) of IPC in Crime No.11 of 2015, on the file of the respondent police and hence, seeks anticipatory bail.

2. The case of the prosecution is that the marriage between A1 and the defacto complainant was solemnized on 23.05.2013. After the marriage, A1 went to Singapore along with defacto complainant and thereafter, A1 ill treated the defacto complainant at Singapore and developed illicit intimacy with other female members and when the same was questioned by the defacto complainant A1 threatened her with dire consequences. On complaint, a case has been registered for the above said offences.

3.It is submitted by the learned counsel for the petitioners that the petitioners are an innocent person and he has not committed any offence as alleged by the prosecution. Further, the petitioners have already filed Crl.O.P(MD)No.6667 of 2016 for anticipatory bail before this Court and this Court vide order dated 10.06.2016, granted anticipatory bail to them. They could not produce the sureties before the Judicial Magistrate due to the demise of one of their family members. Hence, the petitioners have come up with the present petition.

3.Heard the learned Government Advocate (Criminal side).

<https://hcservices.ecourts.gov.in/hcservices>
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 10.06.2016



made in CrI.O.P(MD)No.6667 of 2016, 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, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate, Pattukkottai, 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 petitioners shall appear 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 petitioner in accordance with law as if the conditions have been imposed and the petitioner 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 conditions or not.

sd/-
02/08/2016

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE, PATTUKKOTTAI.
- 2 DO THRO THE CHIEF JUDICIAL MAGISTRATE, THANJAVUR DISTRICT AT KUMBAKONAM.
- 3 THE ADDL. PUBLIC PROSECUTOR, MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- 4 THE INSPECTOR OF POLICE, ALL WOMEN POLICE STATION, PATTUKKOTTAI, THANJAVUR DISTRICT

+1. CC to M/S S.DEENADHAYALAN Advocate SR.No.41427.

ORDER
IN
CRL OP(MD) No.13500 of 2016
Date : 02/08/2016