



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.13593 of 2016

1 R.PARVATHIA,
2 A.BRINDHA,
3 AYYAPPAN,
4 S.GOMATHI,

... PETITIONERS / ACCUSED 2 to 5

Vs

STATE REP BY
THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION,
TIRUCHENDUR,
THOOTHUKUDI DISTRICT.
(CRIME. NO. 6 OF 2016)

... RESPONDENT / COMPLAINANT

For Petitioner : M/S D.RAMESHKUMAR Advocate

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

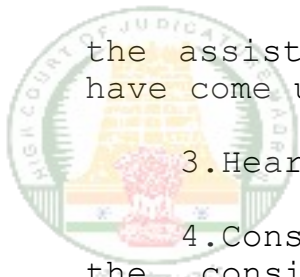
PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioners, who are arrayed as Accused Nos. 2 to 5 , apprehends arrest at the hands of the respondent police for the offences punishable under Sections 294(b), 406, 498-A, 494 and 506 (i) of IPC and Section 4 of Tamil Nadu Prohibition of Harassment of Women Act, in Crime No.6 of 2016, on the file of the respondent police and hence, seeks anticipatory bail.

2. The case of the prosecution is that this is the family dispute, due to which the petitioners harassed the defacto complainant and also abused him in filthy language and on complaint, a case has been registered against the petitioners.

2.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.3558 of 2016 for anticipatory bail before this Court and this Court vide order dated 14.03.2016, granted anticipatory bail to them. They did not produce the sureties before the Judicial Magistrate for the reason that first petitioner is taking treatment for her cardiological disease with



the assistance of the other petitioners. Hence, the petitioners have come up with the present petition.

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

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 14.03.2016 made in CrI.O.P(MD)No.3558 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, Thiruchendur, 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 3rd petitioner shall report before the respondent Police daily at 6.30 p.m. until further orders and the petitioners 1,2 and 4 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, THIRUCHENDUR

2 THE CHIEF JUDICIAL MAGISTRATE, TUTICORIN DISTRICT

3 THE INSPECTOR OF POLICE ALL WOMEN POLICE STATION, TIRUCHENDUR,
THOOTHUKUDI DISTRICT.

4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI

+1. CC to M/S D.RAMESHKUMAR Advocate SR.No.41343

ORDER

IN

CRL OP(MD) No.13593 of 2016

Date :02/08/2016

TRP

SMA/SKS-RR/SAR-III/08/08/2016 :3P/6C