



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

Monday, the Eighth day of August Two Thousand Sixteen
PRESENT

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

CRL OP (MD) No.14036 of 2016

WEB COPY

1 P.SOMASUNDARAM
2 JANAHAN
3 PERUMAL
4 AMASAVALLI
5 DEIVANAYAH

... PETITIONERS/ACCUSED A1,A4,A2,A3,A5

Vs

STATE REP.BY
THE INSPECTOR OF POLICE
JEEYAPURAM ALL WOMEN POLICE STATION,
TRICHY DISTRICT.
(CRIME NO. 7 OF 2016)

... RESPONDENT/COMPLAINANT

For Petitioner : M/S K.SIVABALAN Advocate
For Respondent : MR.P.KANNITHEVAN, Govt. Advocate (Crl. Side)
For Intervenor : MR.S.MUTHUMALAI RAJ, 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 Nos.1,4,2,3 and 5 apprehend arrest at the hands of the respondent police for the offences punishable under Sections 498(A), 354 and 506(i) IPC, in Crime No.7 of 2016, on the file of the respondent police and hence, seek anticipatory bail.

2.The case of the petitioners is that they are innocent persons and they have not committed any offence as alleged by the prosecution. They have not caused any injury to the de facto complainant. The first petitioner is working as a Village Administrative Officer. The second petitioner is working in Trichy Corporation. The petitioners 3 and 4 are the parents of the first petitioner and the fifth petitioner is the sister in law of the de facto complainant. Due to dispute, the de facto complainant left the matrimonial home and the first petitioner filed H.M.O.P.No.139 of 2016 on the file of the Principal Sub Court, Trichy for divorce. After receiving summons in the said proceeding, the de facto complainant has given a false complaint.

3.The learned Government Advocate (Criminal side) submitted that on the complaint given by the de facto complainant, a case has been registered and investigation is pending.

4.Considering the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions. Accordingly, they 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 Additional Mahila Court (J.M. Level), Trichy, 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 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 06.00 p.m. until further orders and the petitioners 2 to 5 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 petitioners are complying with the conditions or not.

sd/-

08/08/2016

/ TRUE COPY /

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

TO

- 1 THE ADDITIONAL MAHILA COURT
(JUDICIAL MAGISTRATE LEVEL),
TRICHY.
- 2 DO-THRO' THE CHIEF JUDICIAL MAGISTRATE
TRICHY DISTRICT.
- 3 THE INSPECTOR OF POLICE
JEEYAPURAM ALL WOMEN POLICE STATION,
TRICHY DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S K.SIVABALAN Advocate SR.No.42751

ORDER

IN

CRL OP(MD) No.14036 of 2016

Date :08/08/2016