



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

Tuesday, the Ninth day of August Two Thousand Sixteen

PRESENT

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

CRL OP(MD) No.14241 of 2016

1 Mrs.RATHINAM,  
2 KAPPALKARAN ALIAS NATARAJAN ... PETITIONERS / ACCUSED Nos.1 & 2

Vs

THE STATE REPRESENTED BY  
THE INSPECTOR OF POLICE,  
PALANICHETTYPATTI POLICE STATION,  
THENI DISTRICT.

CRIME. NO. 399 OF 2016 ... RESPONDENT / COMPLAINANT

For Petitioner : M/S M.KAMACHI 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.1 & 2, apprehend arrest at the hands of the respondent police for the alleged offences punishable under Sections 294(b), 109, 427 and 506 (i) I.P.C., in Crime No.399 of 2016 on the file of the respondent police and hence, seek anticipatory bail.

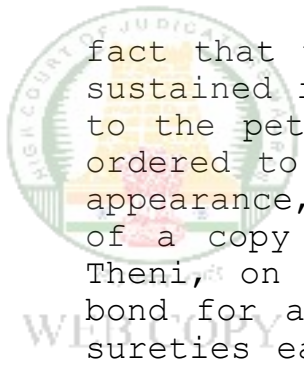
2. The case of the prosecution is that on 05.06.2016, at about 02.00 p.m. while the defacto complainant watching the construction works, at the instigation of A2, A1 abused her in filthy language and criminally intimidated her. On complaint, a case has been registered.

3.It is submitted by the learned counsel for the petitioners that the petitioners are innocent persons and they have not committed any offence and their names have been falsely implicated in this case and prays for anticipatory bail in favour of the petitioners.

3.It is submitted by the learned Government Advocate (Crl.Side) that no one sustained injury and the petitioner never damaged the construction.

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

4.Considering the facts of the case and also considering the



fact that there was no damage caused by the petitioners and no one sustained injury, 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 Judicial Magistrate, Theni, 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 as and when required for interrogation and the second petitioner shall report before the respondent Police daily at 10.30 a.m. until further orders.

(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/-

09/08/2016

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE, THENI
- 2 THE CHIEF JUDICIAL MAGISTRATE, THENI DISTRICT
- 3 THE INSPECTOR OF POLICE, PALANICHETTYPATTI POLICE STATION,  
THENI DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,  
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI

+1. CC to M/S M.KAMACHI Advocate SR.No.43060

ORDER

IN

CRL OP(MD) No.14241 of 2016

Date :09/08/2016