



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

Tuesday, the Fourth day of October Two Thousand Sixteen

PRESENT

The Hon`ble Mr.Justice B.GOKULDAS

CRL OP(MD) No.18638 of 2016

1 MALAIRAJA
2 JAYAKUMAR

... PETITIONERS/ACCUSED Nos.1& 2

Vs

STATRE REPRESENTED BY THE INSPECTOR OF POLICE
CUMBUM SOUTH POLICE STATION,
CUMBUM, UTHAMAPALAYAM TALUK,
THENI DISTRICT,
CR NO. 317 OF 2016

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.K.GUHAN Advocate

For Respondent : M/S.A.P.BALASUBRAMANI Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

Petitioners, who are arrayed as accused, pray for the grant of anticipatory bail under Section 438 of Cr.P.C. for the offences punishable under Section 306 IPC in Crime No.317 of 2016 on the file of the respondent police.

2.The case of the prosecution is that as the petitioners threatened one Amaravathy, she committed suicide.

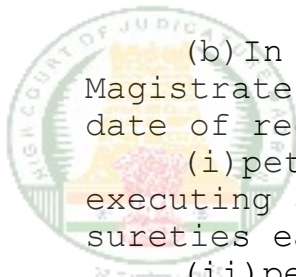
3.Heard the learned counsel for the petitioners and the learned Government Advocate (Crl. Side).

4.The learned counsel for the petitioners submitted that the petitioners are innocent persons and they have been falsely implicated in this case. He further submitted that the 1st petitioner lodged a complaint before the Gudalur South Police station and the same was registered in Crime No.153 of 2016 under Section 420 IPC as against one Murugan and the father of the said Murugan filed H.C.P.No.976 of 2016 before this and same was dismissed.

5.Learned Government Advocate (Crl. Side) submits that investigation is pending.

6.On consideration of the facts and circumstances of the case and the submissions made, this Court is of the view that the petitioners can be granted the relief prayed for and accordingly;

(a) In the event of arrest by or on appearance before the respondent police;



(b) In the event of appearance before the learned Judicial Magistrate, Uthamapalayam, Theni District, within 15 days from the date of receipt of copy of the order,

(i) petitioners shall be enlarged on bail on each of them executing a bond for Rs.10,000/- (Rupees ten thousand only) with two sureties each for the like sum to their satisfaction;

(ii) petitioners shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the fact of the case so as to dissuade him from disclosing such facts to the Court or to any Police Officer;

(iii) petitioners shall report before the respondent police daily at 10.30 a.m. until further orders.

sd/-

04/10/2016

/ TRUE COPY /

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

TO

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

+1. CC to M/S.K.GUHAN Advocate SR.No. 58453

nbj

JA-SKS-RR-SAR.II/7.10.2016/2P:6C

ORDER

IN

CRL OP(MD) No.18638 of 2016

Date :04/10/2016