



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

Thursday, the Fourth day of February Two Thousand Sixteen

PRESENT

THE HON`BLE MR JUSTICE P.N.PRAKASH

CRL OP(MD) No.2060 of 2016

1 VIJAYALAKHMI
2 PUSHPARAJ
3 SUSEELA

.. PETITIONERS / ACCUSED No.1 to 3

Vs

STATE REP.BY
THE INSPECTOR OF POLICE
VATCHAKARAPATTI POLICE STATION,
VIRUDHUNAGAR DISTRICT.
CR. NO.256/2015

... RESPONDENT / COMPLAINANT

For Petitioner : M/S G.MARIMUTHU Advocate

For Respondent : MR.C.MAYIL VAHANA RAJENDRAN
ADDITIONAL PUBLIC PROSECUTOR

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

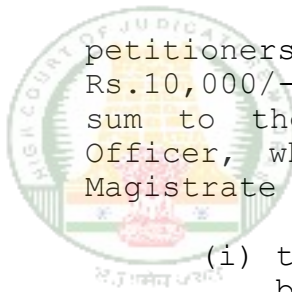
ORDER : The Court Made the following order :-

The petitioners, who apprehended arrest at the hands of the respondent Police for the alleged offences punishable under Sections 294 (b), 406, 419, 420 and 506(ii) I.P.C., in Crime No.256 of 2015, on the file of the respondent police, seek anticipatory bail.

2. Heard Mr.G.Marimuthu, learned counsel appearing for the petitioners / Accused 1 to 3 and Mr.C.Mayil Vahana Rajendarn, learned Additional Public Prosecutor appearing for the State.

3. Pursuant to the directions issued by the learned Judicial Magistrate No.I, Virudhunagar, the respondent Police has registered F.I.R., in Crime No.256 of 2015. On reading of the allegations made in the F.I.R., against the petitioners / Accused 1 to 3, it is seen that the first petitioner / 1st Accused's husband late.Packiam Joseph had borrowed money from Indian Bank and for which the *de facto* complainant stood as a surety. Packiam Joseph died on 08.02.2013 and when the recovery proceedings were initiated by the Bank, the *de facto* complainant has lodged the present complaint against the petitioners.

4. Taking into consideration the nature of allegations made against the petitioners / Accused 1 to 3, this Court is of the view that this a fit case to grant anticipatory bail to the petitioners / Accused 1 to 3. 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 No.I, Virudhunagar, on condition that each of the



petitioners / Accused 1 to 3 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 petitioners 1 and 3 / Accused 1 and 3 shall report before the respondent Police as and when required for interrogation and 2nd petitioner / 2nd Accused shall report before the respondent Police daily at 06.30 p.m., for a period of two weeks and thereafter as and when required for interrogation.
- (ii) the petitioners / Accused 1 to 3 shall not tamper with evidence or witness either during investigation or trial.
- (iii) the petitioners / Accused 1 to 3 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 / Accused 1 to 3 in accordance with law as if the conditions have been imposed and the petitioners / Accused 1 to 3 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/-
04/02/2016

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE NO.I, VIRUDHUNAGAR
- 2 THE CHIEF JUDICIAL MAGISTRATE, VIRUDHUNAGAR AT SRIVILLIPUTHUR
- 3 THE INSPECTOR OF POLICE, VATCHAKARAPATTI POLICE STATION,
VIRUDHUNAGAR DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECTUOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S G.MARIMUTHU Advocate SR.No.7331

ORDER
IN
CRL OP(MD) No.2060 of 2016
Date :04/02/2016