



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

Monday, the Eighth day of February Two Thousand Sixteen

PRESENT

THE HON`BLE MR JUSTICE P.N.PRAKASH

CRL OP(MD) No.2215 of 2016

TMT. S. KAMALESWARI

... PETITIONER / ACCUSED NO.6

Vs

THE STATE THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION,
KANYAKUMARI DISTRICT.
CRIME NO. 16/2015

... RESPONDENT / COMPLAINANT

For Petitioner : M/S S.C.HEROLD SINGH Advocate

For Respondent :MR.A.P.BALASUBRAMANI Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

The petitioner/A6, who apprehends arrest at the hands of the respondent police for the alleged offences punishable under Sections 294 (b), 498-A, 323, 420, 506(ii) I.P.C. and Section 4 of Tamil Nadu Prohibition of Harassment of Women Act, in Crime No.16 of 2015 on the file of the respondent police, seeks anticipatory bail.

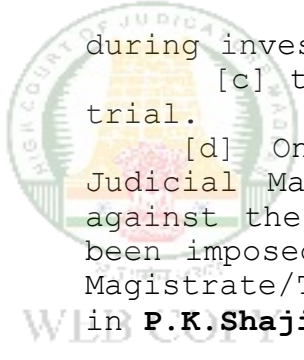
2. Heard the learned Counsel for the petitioner and the learned Government Advocate (Crl.Side).

3. The allegation against the petitioner is that she is having illicit intimacy with the defacto complainant's husband, who is A1. The petitioner's name has not been shown in the FIR and her name has been included only in the final report. The trial Court has taken the same on file in C.C.No.312 of 2015 and issued NBW against the petitioner. Considering the nature of the allegations raised against the petitioner, this Court is of the view that this is a fit case to grant anticipatory bail to the petitioner.

4. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on her 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, Kuzhithurai, on condition that the petitioner 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 the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further conditions that:

<https://hcservices.ecourts.gov.in/hcservices> petitioner shall report before the respondent police as and when required for interrogation.

[b] the petitioner shall not tamper with evidence or witness either



during investigation or trial.

[c] the petitioner shall not abscond either during investigation or trial.

[d] On breach of any of the aforesaid conditions, the learned Judicial 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 Judicial 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]**.

sd/-
08/02/2016

/ TRUE COPY /

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

TO

1 THE INSPECTOR OF POLICE, ALL WOMEN POLICE STATION,
KANYAKUMARI DISTRICT.

2 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S S.C.HEROLD SINGH Advocate SR.No.7716

ORDER
IN
CRL OP(MD) No.2215 of 2016
Date :08/02/2016

GJM/SKS/RR/AR-II-11.2.16-2P-4C