



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

Tuesday, the Ninth day of February Two Thousand Sixteen

PRESENT

The Hon`ble Mr Justice P.N.PRAKASH

CRL OP(MD) No.2308 of 2016

WEB COPY

1 P. SUBRAMANI  
2 P. MUTHULAKSHMI  
3 P. PADMANABAN  
4 VILASINI @ RAJALAKSHMI  
5 P. SURESH @ UNNIKRISHNAN ... PETITIONERS/ACCUSED NO. 1 TO 4 & 6  
Vs

STATE REP BY THE INSPECTOR OF POLICE  
ALL WOMEN POLICE STATION, (TOWN),  
MADURAI, CR NO.2 OF 2016. ... RESPONDENT/COMPLAINANT

For Petitioner : M/S K.BALASUBRAMANI 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 petitioners, who apprehended arrest at the hands of the respondent Police for the alleged offences punishable under Sections 498(A) and 406 I.P.C., in Crime No.2 of 2016, on the file of the respondent police, seek anticipatory bail.

2. Heard Mr.K.Balasubramani, learned counsel appearing for the petitioners / Accused 1 to 4 and 6 and Mr.A.P.Balasubramani, learned Government Advocate (Criminal Side) appearing for the State.

3. It is seen that the first petitioner / first Accused married the *de facto* complainant, on 03.06.2009, and subsequently their marriage ran into trouble. The first petitioner / first Accused has instituted divorce proceedings in H.M.O.P.No.229 of 2015 and the same is pending on the file of learned Principal Sub Judge, Karur. Thereafter, the *de facto* complainant has obtained a direction from this Court in Crl.O.P.(MD) No.20933 of 2015, on 02.11.2015, and based on which the respondent Police has registered the case in Crime No.2 of 2016, under Sections 498(A) and 406 I.P.C., against the petitioners.

4. Taking into consideration the nature of allegations made against the petitioners / Accused 1 to 4 and 6, this Court is of the view that this a fit case to grant anticipatory bail to the petitioners / Accused 1 to 4 and 6. 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 (Magistral Level), Madurai, on condition that each of the



petitioners / Accused 1 to 4 and 6 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 / first Accused shall report before the respondent Police every Saturday and Sunday at 10.30 a.m., until further orders and the petitioners 2 to 5 / Accused 2 to 4 and 6 shall report before the respondent Police as and when required for interrogation.
- (ii) the petitioners / Accused 1 to 4 and 6 shall not tamper with evidence or witness either during investigation or trial.
- (iii) the petitioners / Accused 1 to 4 and 6 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 4 and 6 in accordance with law as if the conditions have been imposed and the petitioners / Accused 1 to 4 and 6 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/-

09/02/2016

/ TRUE COPY /

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

TO

- 1 THE ADDITIONAL MAHILA COURT (MAGISTRAL LEVEL), MADURAI
  - 2 THE CHIEF JUDICIAL MAGISTRATE, MADURAI
  - 3 THE INSPECTOR OF POLICE, ALL WOMEN POLICE STATION, (TOWN), MADURAI
  - 4 THE ADDL PUBLIC PROSECUTOR  
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- +1. CC to M/S K.BALASUBRAMANI Advocate SR.No.7704

ORDER

IN

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Date :09/02/2016