



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

Thursday, the Nineteenth day of May Two Thousand Sixteen

PRESENT

The Hon`ble Mr.Justice B.GOKULDAS

CRL OP(MD) No.8099 of 2016

1 SELVAN
2 PAULRAJ NADAR
3 PUSHPARATHI
4 GURULAKSHMI

... PETITIONERS / ACCUSED 1 to 4

Vs

STATE REP.BY ITS
THE INSPECTOR OF POLICE
THIRUCHENDUR ALL WOMEN POLICE STATION,
THIRUCHENDUR,
THOOTHUKUDI DISTRICT.
CRIME NO. 13 OF 2016

... RESPONDENT / COMPLAINANT

For Petitioner : M/S C.JOSEPH SATHIYANESON Advocate

For Respondent : Mrs.S.Prabha Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

The petitioners/A1 to A4, who apprehend arrest at the hands of the respondent police for the alleged offences punishable under Sections 494, 341, 294(b), 506(ii) of IPC and Section 4 of Tamil Nadu Prohibition of Women Harassment Act in Crime No.13 of 2016 on the file of the respondent police, seek anticipatory bail.

2. The learned counsel for the petitioners submitted that the petitioners have been falsely implicated in this case.

3. The learned Government Advocate (Crl.side) represented that totally, there are 17 accused in this case and the investigation of the case is pending.

4. Heard the learned counsel on either side.

5. Upon the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioners 3 & 4 alone. Accordingly, the petitioners 3 & 4 are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen (15) days from the date of receipt of a copy of this order, before the learned Judicial Magistrate, Sathankulam, on condition that each of the petitioners 3 & 4 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 condition that:

[a] the petitioners 3 & 4 shall report before the respondent police on summons;

[b] the petitioners 3 & 4 shall not tamper with evidence or witness either during investigation or trial;

[c] the petitioners 3 & 4 shall not abscond either during investigation or trial;

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

6. Upon veracity of the offence, this petition in respect of the petitioners 1 & 2 / A1 & A2 is dismissed.

sd/-

19/05/2016

/ TRUE COPY /

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

TO

1 THE JUDICIAL MAGISTRATE, SATHANKULAM

2 -do-thro THE CHIEF JUDICIAL MAGISTRATE, TUTICORIN DISTRICT

3 THE INSPECTOR OF POLICE
THIRUCHENDUR ALL WOMEN POLICE STATION,
THIRUCHENDUR, THOOTHUKUDI DISTRICT.

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

+1. CC to M/S P.T.RAMESH RAJA Advocate SR.No.26725

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ORDER

IN

CRL OP(MD) No.8099 of 2016

Date :19/05/2016