



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

Wednesday, the Twentieth day of September Two Thousand Seventeen

PRESENT

The Hon`ble Mr.Justice A.M.BASHEER AHAMED

CRL OP(MD) No.11011 of 2017

1 POORANAM

2 MUTHUSANKAR ALIAS MUTHU SANKARAVEL, ... PETITIONERS/
ACCUSED NO.2 & 3

Vs

STATE REP BY
THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION,
THIRUMANGALAM,
MADURAI DISTRICT,
CRIME NO. 60/2016.

... RESPONDENT/ COMPLAINANT

For Petitioners : MR.M.JOTHI BASU Advocate
For Respondent : MR.A.RAMAR, Additional Public Prosecutor,

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

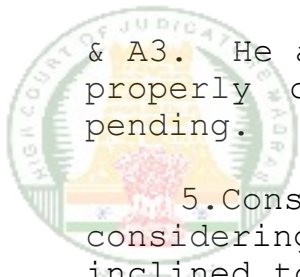
ORDER : The Court Made the following order :-

The petitioners, who apprehend arrest at the hands of the respondent Police for the offence punishable under Sections 498 (A), 406, 506(i) of IPC in Crime No.60 of 2016 on the file of the respondent Police, seek anticipatory bail.

2.Earlier anticipatory bail was granted by this Court on 28.06.2017 in CrI.O.P(MD)No.971 of 2017, however, the petitioners failed to appear before the concerned Court within stipulated time. Thereafter, the petitioners filed a petition in CrI.M.P.(MD)No.6815 of 2017 for extension of time. Since it was out of time, it was dismissed as withdrawn, as per order dated 04.08.2017. Hence, this petition is filed for second time seeking anticipatory bail on the same set of facts.

3.The learned counsel for the petitioners admitted the above facts and he is filed the present petition for second time seeking anticipatory bail on the same set of facts. He further submitted that as directed by this Court, the petitioners deposit a sum of Rs.1000/- to the High Court Legal Service Authority attached to this Bench and also produced the proof of payment.

4.The learned Additional Public Prosecutor appearing for the respondent Police on instruction would submit that totally there are 3 accused in this case and the petitioners herein are arrayed as A2



& A3. He also submitted that the condition imposed by this Court is properly complied with by the petitioners and investigation is pending.

5. Considering the facts and circumstances of the case and also considering the compliance of condition imposed by this Court, I am inclined to grant anticipatory bail to the petitioners. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of 15 days from the date on which the order copy is made ready, before the learned Judicial Magistrate Court, Thirumangalam on condition that the petitioners 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 shall report before the respondent Police as and when required.

[b] the petitioners shall not tamper with evidence or witness either during investigation or trial.

[c] the petitioners 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 petitioners in accordance with law as if the conditions have been imposed and the petitioners 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)**.

sd/-

20/09/2017

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE, THIRUMANGALAM
- 2 THE CHIEF JUDICIAL MAGISTRATE, MADURAI DISTRICT
- 3 THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION, THIRUMANGALAM, MADURAI DISTRICT
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI

+1. CC to M/S.M.JOTHI BASU, Advocate SR.No.31111

ORDER IN
CRL OP(MD) No.11011 of 2017
Date : 20/09/2017