



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

Thursday, the Twenty Eighth day of September Two Thousand Seventeen

PRESENT

The Hon`ble Mr.Justice M.V.MURALIDARAN

CRL OP(MD) No.13291 of 2017

1 SITHI RUMAISHA,
2 SABERIYA BEGUM,

... PETITIONER / PROPOSED ACCUSED/
RANK NOT KNOWN

Vs

THE INSPECTOR OF POLICE,
KENIKARAI POLICE STATION,
RAMANATHAPURAM DISTRICT.

... RESPONDENT / COMPLAINANT

For Petitioners: M/S.R.BABU JAGANATH Advocate

For Respondent : Mr.C.Ramesh, Additional Public Prosecutor

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

ORDER : The Court Made the following order :-

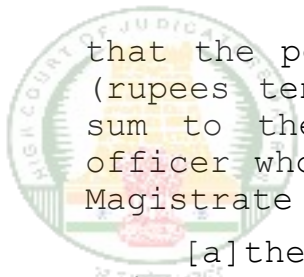
The petitioners / accused, who apprehend arrest at the hands of the respondent Police for the offences punishable under Sections 406 and 420 of IPC in Crime No. Not known of 2017 on the file of the respondent Police, seek anticipatory bail.

2.The case of the prosecution is that the the petitioner is alleged to have cheated the de facto complainant on receiving money and also abused the de facto complainant in filthy language.

3.The learned counsel for the petitioners submitted that the petitioners are no way connected with the alleged offence and they are innocent and they have been falsely implicated in this case.

4.The learned Additional Public Prosecutor appearing for the respondent on instructions submitted that only the petition enquiry is pending.

5.Considering the facts and circumstances of the case, this Court is 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 No.II, Ramanathapuram, on condition



that the petitioners shall execute a bond for a sum of Rs.10,000/- (rupees ten thousand only) each 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 daily at 10.30 a.m. for a period of one week and thereafter, as and when required for interrogation. The respondent police is directed to register an FIR or complete the enquiry within a period of one week.

[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/-

28/09/2017

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE NO.II, RAMANATHAPURAM
- 2 -DO-THRO THE CHIEF JUDICIAL MAGISTRATE, RAMANATHAPURAM DISTRICT
- 3 THE INSPECTOR OF POLICE,
KENIKARAI POLICE STATION, RAMANATHAPURAM DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI

ORDER

IN

CRL OP(MD) No.13291 of 2017

Date :28/09/2017

SM:RR:SAR I:5.10.2017:2P/5C