



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

Friday, the Sixth day of October Two Thousand Seventeen

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.13512 of 2017

1 PACKIYALAKSHMI

2 MAHESWARI @ SANKARESWARI

... PETITIONERS/ACCUSED Nos.2 & 3

Vs

STATE REP BY

THE SUB INSPECTOR OF POLICE

SIVAKASI TOWN POLICE STATION,

VIRUDHUNAGAR DISTRICT

CRIME NO.821/2017

... RESPONDENT / COMPLAINANT

For Petitioners : M/S.G.MARIMUTHU Advocate

For Respondent : MR.K.ANBARASAN, Government Advocate (Crl.side)

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 offences punishable under Sections 294(b), 324,506(ii) IPC., and Section 4 of Tamil Nadu Prohibition of Harassment of Women Act, 2002, in Crime No.821 of 2017, on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that the defacto complainant, namely, Sakthimeena @Sathya is none other than wife of the first accused, made a complaint against her husband, mother-in-law and sister-in-law. The defacto complainant suspects that the accused No.1 may have illegal relationship with another lady. Hence, the illegal action was questioned by the defacto complainant and due to that dispute, she left the matrimonial home on 28.09.2017. The Accused Nos.1 to 3 came to the house of the defacto complainant, scolded her with filthy language and attacked with their hands, due to that, the defacto complainant has sustained simple injuries in the incident and discharged from the hospital.

3. The learned counsel appearing for the petitioners would submit that the petitioners/accused herein have not quarrelled with the defacto complainant and they want to live jointly with the defacto complainant and they did not commit any offence as alleged by the prosecution.



discharged from the hospital and investigating is pending. Hence, he prays for dismissal of this anticipatory bail petition.

5. Considering the facts and circumstances of the case and also considering the fact that the injured discharged from the hospital, I am inclined to grant anticipatory bail to the petitioners with certain conditions. Accordingly, the petitioners 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 Judicial Magistrate No.I, Sivakasi, on condition that the petitioners shall execute a bond for a sum of Rs.25,000/- (Rupees Twenty Five thousand only) with two sureties 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 petitioner shall report before the respondent police as and when required for interrogation;

(ii) the petitioner shall not tamper with evidence or witness either during investigation or trial.

(iii) the petitioner shall not commit any offence while on bail;

(iv) 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 and the bail granted stands cancelled automatically.

sd/-

06/10/2017

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE NO.I, SIVAKASI
- 2 THE CHIEF JUDICIAL MAGISTRATE, SIVAKASI DISTRICT
- 3 THE SUB INSPECTOR OF POLICE
SIVAKASI TOWN POLICE STATION, VIRUDHUNAGAR DISTRICT
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI

+1. CC to M/S.G.MARIMUTHU Advocate SR.No.32217

ORDER

IN

CRL OP(MD) No.13512 of 2017

Date :06/10/2017