



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

Thursday, the Ninth day of November Two Thousand Seventeen  
PRESENT

**The Hon`ble Mr.Justice M.DHANDAPANI**

CRL OP(MD) No.14111 of 2017

1 C.IDHAYATHULLAH  
2 P.KRISHNA MOORTHY  
3 C.ARIF RAJA

... PETITIONERS/ ACCUSED RANK NOT KNOWN  
Vs

STATE REP.BY  
THE INSPECTOR OF POLICE,  
KEELAVALAVU POLICE STATION, MADURAI DISTRICT.  
(IN CRIME NO. NOT KNOWN OF 2017) ... RESPONDENT / COMPLAINANT

For Petitioners: M/S.S.M.A.JINNAH, Advocate  
For Respondent : M/S.K.ANBARASAN, Government Advocate(Crl.Side)

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

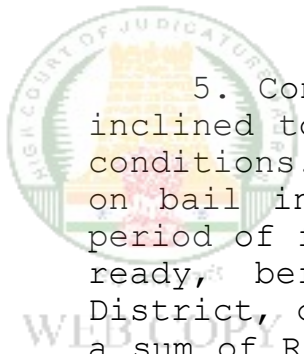
ORDER : The Court Made the following order :-

The petitioners, who are arrayed as accused, apprehend arrest at the hands of the respondent police for the offences punishable under Sections 294(b), 323 & 506 (i) of IPC, in Crime No.Not Known of 2017, on the file of the respondent police, seek anticipatory bail.

2. The case of the petitioners is that marriage was solemnized on 01.01.2011, between the first petitioner and the defacto complainant. After marriage, there was a family dispute between the first petitioner and the de-facto complainant. In an earlier occasion, the father of the defacto complainant attacked the first petitioner and thereby the petitioners lodged a complaint against the de-facto complainant and the case was registered in Crime No.427 of 2017 in Keelavalavu Police Station. Thereafter, in order to settle his vengeance against the petitioners, the father in law of the first petitioner utilises his daughter/defacto complainant to make a complaint against the petitioners. Accordingly, the defacto complainant lodged a complaint against her husband and other accused.

3. The learned counsel appearing for the petitioners would submit that the petitioners are innocent persons and they have not committed any offence, as alleged by the prosecution. There is a case and case in counter.

4. The learned Government Advocate (Criminal side) appearing for the State, on instructions, would submit that it is purely a family dispute and there is no need for further investigation in this case.



5. Considering the facts and circumstances of the case, 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 on which the order copy is made ready, before the learned Judicial Magistrate, Melur, Madurai District, on condition that the petitioners shall execute a bond for a sum of Rs.25,000/- (Rupees twenty five thousand only) each, 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 petitioners shall report before the investigation officer, weekly twice i.e., Every Monday and Saturday between 10.00 a.m. and 11.00 a.m., until further orders;
- (ii) the petitioners shall not tamper with evidence or witness either during investigation or trial;
- (iii) the petitioners shall make themselves available for interrogation including custodial interrogation as and when required by the investigation officer;
- (iv) the petitioners shall not commit any offence while on bail;
- (v) 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 and the anticipatory bail granted stands cancelled automatically.

sd/-  
09/11/2017

/ TRUE COPY /

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

TO

- 1. THE JUDICIAL MAGISTRATE, MELUR, MADURAI DISTRICT.
- 2. DO-THROUGH THE CHIEF JUDICIAL MAGISTRATE, MADURAI.
- 3. THE INSPECTOR OF POLICE,  
KEELAVALAVU POLICE STATION, MADURAI DISTRICT.
- 4. THE ADDITIONAL PUBLIC PROSECUTOR,  
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.S.M.A.JINNAH Advocate SR.No.34192

ORDER IN  
CRL OP(MD) No.14111 of 2017  
Date :09/11/2017