



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.15294 of 2017

1 MUTHUMANI
2 MUTHU
3 KOTHALAM
4 MUNISHWAR
5 PARAMASIVAN

... PETITIONERS/ACCUSED 1-5

Vs

STATE OF TAMILNADU REPRESENTED BY ITS,
THE INSPECTOR OF POLICE,
AVIYUR POLICE STATION,
VIRUDHUNAGAR DISTRICT
CRIME NO.210/2017

... RESPONDENT / COMPLAINANT

For Petitioners : M/S.G.ARAVINTHAN Advocate

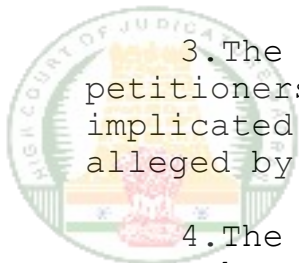
For Respondent : MR.K.ANBARASAN Government Advocate (Crl. Side)

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 147, 448, 294(b), 323, 324, 506(i) and 379 I.P.C., and Section 4 of Tamil Nadu Prohibition of Harassment of Woman Act, 2002, in Crime No.210 of 2017, on the file of the respondent Police, seek anticipatory bail.

2.The case of the prosecution is that the first petitioner's husband died on 21.08.2017, after burial, the first petitioner went to her maternal home on the third day of the death of her husband and she returned back to matrimonial home with her children on 03.09.2017. At that time, the defacto complainant, who is none other than the father-in-law of the first petitioner, objected her entry along with his another son and daughter. Hence the same was questioned by the other relatives of the first petitioner, there was a wordy quarrel between the two family members and sustained injuries, thereby, the deceased husband's family lodged a complaint against these petitioners.



3.The learned counsel for the petitioners submitted that the petitioners are innocent persons and they have been falsely implicated in this case and they did not commit any offence as alleged by the prosecution.

4.The learned Government Advocate (Crl.side) appearing for the respondent Police, on instructions, would submit that the injured discharged from the hospital and investigation is still pending.

5.Considering the facts and circumstances of the case and also considering the submission made by the learned Government Advocate (Crl.side) that injured discharged from the hospital, this Court is 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.II, Virudhunagar, 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 petitioner nos.2,3 and 5 shall report before the respondent police daily at 10.30 a.m for a period of two weeks, thereafter as and when required for interrogation;

(ii) the petitioner nos.1 and 4 shall report before the respondent police as and when required for interrogation;

(iii) the petitioners shall not tamper with evidence or witness either during investigation or trial;

(iv) the petitioner shall not abscond either during investigation or trial.

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

(vi) 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.



msa

TO

1 THE JUDICIAL MAGISTRATE NO.II, VIRUDHUNAGAR

2 THE CHIEF JUDICIAL MAGISTRATE
VIRUDHUNAGAR DISTRICT AT SRIVILLIPUTHUR

3 THE INSPECTOR OF POLICE,
AVIYUR POLICE STATION, VIRUDHUNAGAR DISTRICT.

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

+1. CC to M/S.G.ARAVINTHAN Advocate SR.No.34123

GJM/SM/SAR-2-14/11/2017-3P-6C

ORDER

IN

CRL OP(MD) No.15294 of 2017

Date :09/11/2017