



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

Monday, the Twenty Seventh day of November Two Thousand Seventeen

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.16229 of 2017

1 RAEJSWARI,
2 SATHEESH,

... PETITIONERS / ACCUSED NO.1 & 2

Vs

STATE REP.BY
THE INSPECTOR OF POLICE
CUMBUM POLICE STATION,
THENI DISTRICT
CR.NO.764 OF 2017

... RESPONDENT / COMPLAINANT

For Petitioners : M/S.M.S.JEYA KARTHICK 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 are arrayed as accused No.1 & 2, apprehend arrest at the hands of the respondent police for the offence punishable under Sections 448, 323, 379 and 506(ii) of I.P.C., in Crime No.764 of 2017, on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the first petitioner's husband borrowed money from the defacto complainant who running a pawn broker shop, by pledging the jewels. The first petitioner's husband repaid the entire money. However, the defacto complainant did not return the jewels, which was questioned by the 2nd petitioner in several time. Hence, there was a wordy quarrel between them. Thereby, the petitioners attacked the defacto complainant.

3.The learned counsel for the petitioners states that the facts of the case itself shows that the respondent foisted a false case against the petitioners and they did not commit any offence as alleged by the prosecution. The 2nd petitioner only questioned about the non returning of the jewels.

4.The learned Government Advocate (Criminal Side) for the



State would submit that the occurrence was takes place on 27.10.2017 but the complaint was given on 18.11.2017 and the injured person also discharged from the hospital.

5. Considering the facts and circumstances of the case and also considering the submission made by the learned Government Advocate (Crl.Side) I am inclined to grant anticipatory bail to the petitioners with certain conditions. Accordingly, the petitioners is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate, Uthamapalayam, 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 2nd petitioner shall report before the respondent police daily at 10.30 a.m., for a period of two weeks and thereafter, as and when required for interrogation;

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

(iii) the petitioners shall make himself available for interrogation including custodial interrogation as and when required by the investigation officer;

(iv) the petitioners shall not abscond either during investigation or trial;

(v) the petitioners 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/-
27/11/2017

/ TRUE COPY /

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



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TO

1 THE JUDICIAL MAGISTRATE, UTHAMAPALAYAM
2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE
THENI DISTRICT

3 THE INSPECTOR OF POLICE
CUMBUM POLICE STATION, THENI DISTRICT

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

+1. CC to M/S.M.S.JEYA KARTHICK Advocate SR.No.35235

GJM/RR/SAR-I-6.12.2017-3P-6C

ORDER
IN
CRL OP(MD) No.16229 of 2017
Date :27/11/2017