



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

Tuesday, the Nineteenth day of December Two Thousand Seventeen

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.17376 of 2017

RAJALAKSHMI

... PETITIONER / ACCUSED No.1

Vs

THE STATE REPRESENTED BY
THE INSPECTOR OF POLICE
TIRUPPUVANAM POLICE STATION,
SIVAGANGAI DISTRICT,
CRIME NO. 489 OF 2017

... RESPONDENT /COMPLAINANT

For Petitioner : Mr.G.KARUPPSAMY PANDIAN Advocate

For Respondent : Mr.K.ANBARASAN, Govt. Advocate (Crl. Side)

For Intervenor : Mr. S.BHARATHY KANNAN, Advocate

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

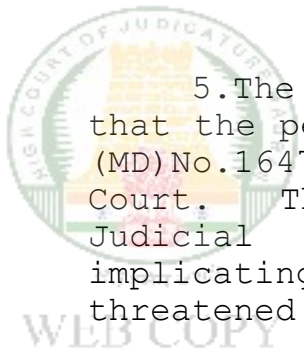
ORDER : The Court Made the following order :-

The petitioner/accused no.1, who apprehends arrest at the hands of the respondent police for the alleged offence punishable under Sections 294(b), 506(i) and 500 of I.P.C., in Crime No.489 of 2017, on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that one Rajalakshmi/Accused No.1 had illegal intimacy with one Balamurugan/Accused No.2. Rajalakshmi suspects that the defacto complainant has helped Balamurugan's wife Chithrai Selvi, thereby, Rajalakshmi sent whatsapp messages to the defacto complainant stating that if he helped Balamurugan's wife, she will kill him. Aggrieved over the same, the defacto complainant filed a complaint against the petitioner.

3.The learned counsel for the petitioner would submit that the petitioner did not commit any offence as alleged by the prosecution and the petitioner did not send any threatening messages to the defacto complainant.

4.The learned counsel appearing for the defacto complainant/intervenor would submit that the petitioner was sending threatening messages to the defacto complainant as if she will sent a complaint to Income Tax Department Officials and she will kill him if he continues to help Chithirai Selvi, Balamurugan's wife.



5.The learned Government Advocate (Criminal side) would submit that the petitioner filed a petition before this Court in Crl.O.P. (MD)No.16474 of 2017, dated 05.12.2017 which was dismissed by this Court. Thereafter the petitioner filed a petition before the Judicial Magistrate, Ambathoor, under Section 200 Cr.P.C., implicating the defacto complainant as if the defacto complainant threatened the petitioner.

6.Considering the facts and circumstances of the case and also considering the submissions made by the learned Government Advocate (Crl.Side), there is a change in circumstance, I am inclined to grant anticipatory bail to the petitioner with certain conditions. Accordingly, petitioner 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, Manamadurai, on condition that the petitioner shall execute a bond for a sum of Rs.25,000/- (Rupees Twenty Five thousand only) 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 shall appear before the All Women Police Station, Ambathoor, Chennai, daily at 5.00 p.m., until further orders;
- (ii) the petitioner shall make himself available for interrogation including custodial interrogation as and when required by the investigation officer;
- (iii) the petitioner 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 petitioner in accordance with law and the anticipatory bail granted stands cancelled automatically.

sd/-
19/12/2017

/ TRUE COPY /



TO

1 THE JUDICIAL MAGISTRATE,
MANAMADURAI, SIVAGANGAI DISTRICT

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
SIVAGANGAI

3 THE INSPECTOR OF POLICE
TIRUPPUVANAM POLICE STATION,
SIVAGANGAI DISTRICT,

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

COPY TO:-

THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION, AMBATHOOR,
CHENNAI

+1. CC to MR.G.KARUPPSAMY PANDIAN Advocate SR.No.36448

+1 CC TO Mr. S.BHARATHY KANNAN , Advocate, Sr.No. 36499

JAM/22.12.17/PM/ SAR 3 / 3P-8C

ORDER

IN

CRL OP (MD) No.17376 of 2017

Date :19/12/2017