



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

Thursday, the Sixth day of April Two Thousand Seventeen

PRESENT

The Hon`ble Mrs.Justice J.NISHA BANU

WEB COPY

CRL OP (MD) No.4016 of 2017

1 SELVAN

2 PAULRAJ NADAR

... PETITIONERS/ACCUSED NO.1 & 2

Vs

STATE REP.BY,
THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION,
THIRUCHENDUR,
THOOTHUKUDI DISTRICT
CRIME NO.13 O F2016

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.P.T.RAMESH RAJA Advocate

For Respondent : MRS.S.PRABHA, Govt. Advocate (Crl. Side)

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

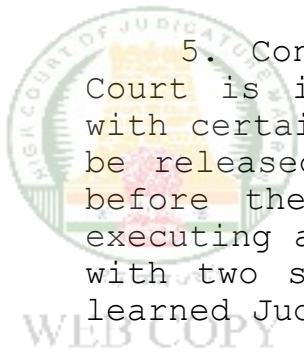
ORDER : The Court Made the following order :-

The petitioners, who are arrayed as accused Nos.1 and 2 in Crime No.13 of 2016 on the file of the respondent police, apprehends arrest at the hands of the respondent police for an alleged offence punishable under Sections 494,341,294(b), and 506(ii) of IPC and Section 4 of Tamil Nadu Prohibition of Women Harassment Act and hence, seek anticipatory bail.

2. Heard the learned counsel for the petitioners and the learned Government Advocate (Criminal Side) for the respondent/State.

3. The case of the prosecution is that the marriage between the first petitioner and defacto complainant was solemnized on 22.04.2010 and subsequently, the first petitioner married another lady by name Gurulakshmi and when it was questioned by the defacto complainant, she abused the defacto complainant in filthy language and criminally intimidated her. On complaint, a case has been registered against the petitioners.

4. It is represented by the learned counsel for the petitioners that this is the third anticipatory bail application filed by these petitioners. Earlier this Court, has granted anticipatory bail to the petitioners along with other accused in CrI.OP(MD)No.13588 of 2016 on 16.08.2016, but the petitioners were not able to execute sureties. Therefore, they have filed this anticipatory bail application.



5. Considering the facts and circumstances of the case, 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 before the learned Judicial Magistrate, Sathankulam and on them executing a bond for a sum of Rs.10,000/- (Rupees ten thousand only) with two sureties each for a like sum to the satisfaction of the learned Judicial Magistrate concerned and on further condition that:

[i] the petitioners shall report before the respondent police daily at 10.00 am until further orders.

[ii] the petitioners shall not tamper with evidence or witness either during investigation or trial.

[iii] the petitioners shall not abscond either during investigation or trial.

[iv] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the second petitioner in accordance with law as if the conditions have been imposed and the second petitioner released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in P.K.Shaji vs. State of Kerala [(2005) AIR SCW 5560].

6. The petitioners shall appear before the concerned Magistrate within a period of 15 days from the date on which the order copy made ready, failing which, the petition for anticipatory bail stands dismissed.

sd/-

06/04/2017

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE, SATHANKULAM, TUTICORIN DISTRICT.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, TUTICORIN.
- 3 THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION, THIRUCHENDUR, THOOTHUKUDI DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.P.T.RAMESH RAJA Advocate SR.No.19599
rj2
CSL/KKR/SAR-IV/20.04.2017 : 2P/6C

ORDER

IN

CRL OP(MD) No.4016 of 2017

Date :06/04/2017