



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

Friday, the Ninth day of June Two Thousand Seventeen

PRESENT

The Hon`ble Mrs.Justice J.NISHA BANU

CRL OP (MD) No.6373 of 2017

AND

CRL.MP (MD) No.4755/17 IN CRL.OP (MD) No.21132/16

1 SANJAI@SHEIK ABDUL KHADER
2 RIGANABANU
3 AGBAR
4 PAKRUTHEEN

... PETITIONERS/ACCUSED 1 to 4
in CRL OP (MD) No.6373 of 2017

1 SANJAI@SHEIK ABDUL KHADER
2 RIGANABANU
3 AGBAR
4 PAKRUTHEEN

... PETITIONERS/PETITIONERS IN
in CRL MP (MD) No.4755 of 2017
IN CRL OP (MD) NO.21132 OF 2016

Vs

THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION,
KARUR, KARUR DISTRICT
CRIME NO. 4 OF 2016

... RESPONDENT / COMPLAINANT
IN BOTH THE PETITIONS

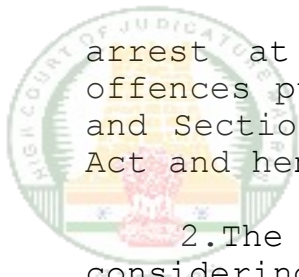
Prayer in CRL OP (MD). 6373/ 2017 :

Petition praying that in the circumstances stated therein and in the petition filed therewith the High Court will be pleased to enlarge the petitioners on bail in the event of their arrest in Crime No.4 of 2016 on the file of the respondent and thus render justice.

Prayer in CRL MP (MD). 4755/ 2017 in CRL.OP (MD) No.21132/16 :

To extend the time limit granted in Crl.O.P.(MD) No. 21132 of 2016 dated 15/03/2017 on the file of this Honourable Court and thus render justice.

Order : This petition coming on for orders upon perusing the petition filed in support thereof and upon hearing the arguments of M/S.R.MATHIYALAGAN Advocate for the petitioner and of MR.A.RAMAR, Additional Public Prosecutor for the Respondent the court made the following order:-



arrest at the hands of the respondent police for the alleged offences punishable under Sections 498(A), 294(b), 323 & 506(i) IPC and Section 4 of the Tamil Nadu Prohibition of Harassment of Women Act and hence, seek anticipatory bail.

2. The learned counsel for the petitioners submitted that considering the facts and circumstances of the case, this Court had already granted anticipatory bail to the petitioners in CrI.O.P.(MD) No.21132 of 2016, vide order dated 15.03.2017 on condition that the petitioners shall execute sureties within a period of fifteen days from the date on which the order copy made ready, failing which the petition for anticipatory bail shall stand dismissed. But the petitioners could not execute the sureties within the time prescribed by this Court. Hence, the petitioners have come up with the petition in CrI.O.P.(MD).No.6373 of 2017 for anticipatory bail. Since this Court has directed the petitioners to file petition seeking extension of time in CrI.O.P.(MD).No.21132 of 2016 to surrender before the Court, the petitioners have filed CrI.M.P.(MD). No.4755 of 2017 in CrI.O.P.(MD).No.21132 of 2016.

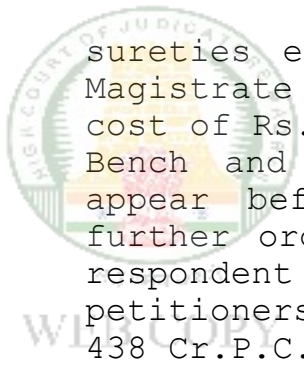
3. The learned Additional Public Prosecutor affirmed the above said fact.

4. This Court heard the submissions made on either side and perused the order passed in CrI.O.P.(MD)No.21132 of 2016, dated 15.03.2017 and also the order dated 24.05.2017 in CrI.O.P.(MD). No.6373 of 2017.

5. It is seen from the record that during the vacation Court, the petitioners have filed this anticipatory bail petition and since the learned counsel for the petitioners did not brought to the knowledge of the vacation Court about the specific direction and default clause mentioned in the order dated 15.03.2017 in CrI.O.P.(MD).No.21132 of 2016, a learned Single Judge of this Court has directed the petitioners to file a petition seeking extension of time granted in CrI.O.P.(MD).No.21132 of 2016 to produce sureties and as such the petitioners have filed a petition in CrI.M.P.(MD). No.4755 of 2017 in CrI.O.P.(MD).No.21132 of 2016 seeking extension of time to produce sureties. Considering the fact that the anticipatory bail order granted in CrI.O.P.(MD).No.21132 of 2016 technically is not in force, this Court is not inclined to entertain CrI.M.P.(MD).No.4755 of 2017 in CrI.O.P.(MD).No.21132 of 2016 and hence, the same is closed.

6. Considering the facts and circumstances of the case and also considering the fact that this Court had already granted anticipatory bail to the petitioners in CrI.O.P.(MD)No.21132 of 2016, dated 15.03.2017, this Court is inclined to grant anticipatory bail to the petitioners, with certain conditions.

7. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance before the learned Judicial Magistrate No.I, Karur and on each 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 Magistrate concerned and on production of receipt for payment of cost of Rs.500/- each to the Legal Services Authority, attached this Bench and on further condition that the first petitioner shall appear before the respondent police daily at 10.30 a.m. until further orders and the petitioners 2 to 4 shall appear before the respondent Police as and when required for interrogation. The petitioners shall comply with the condition stipulated under Section 438 Cr.P.C. Scrupulously.

8.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 shall stand automatically dismissed.

sd/-
09/06/2017

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE NO I
KARUR
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
KARUR DISTRICT
- 3 THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION,
KARUR, KARUR DISTRICT
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI
- 5 THE AUTHORIZED OFFICER,
LEGAL SERVICE AUTHORITY,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI

+1 cc to Mr.R.MATHIYALAGAN, Advocate SR.No. 24020

ORDER
IN
CRL OP(MD) No.6373 of 2017
AND CRL.MP(MD)No.4755/17 IN
CRL.OP(MD)No.21132/16
Date :09/06/2017