



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

Tuesday, the Fourth day of December Two Thousand Eighteen

PRESENT

**The Hon`ble Mr.Justice M.NIRMAL KUMAR**

**CRL OP(MD) No.21423 of 2018**

1. AHAMED USEN

2. SARDAR

... PETITIONERS / ACCUSED NO. 1 & 7

Vs

STATE REP. BY THE  
THE INSPECTOR OF POLICE,  
ALL WOMEN POLICE STATION,  
THANJAVUR  
CRIME NO.7/2018

... RESPONDENT / COMPLAINANT

For Petitioner : MR.A.CHANDRAKUMAR Advocate

For Respondent : MR.M.ASOKAN, Government Advocate(Crl.Side)

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

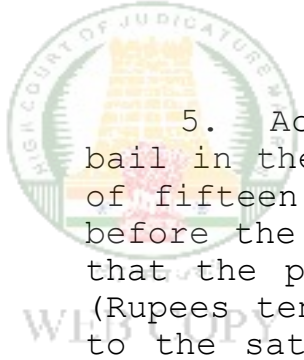
ORDER : The Court Made the following order :-

The petitioners, apprehending arrest at the hands of the respondent police for the offences punishable under Sections 498(A), 406 and 109 IPC in Cr.No.7 of 2018, seek anticipatory bail.

2.The learned counsel for the petitioners would submit that they are innocent persons and they have not committed any offence as alleged by the prosecution. They undertake that they will cooperate with the enquiry.

3.The learned Government Advocate would submit that the investigation is completed and final report is also filed and the same was taken on file as C.C.No.237 of 2018 by the learned Judicial Magistrate No.I, Thanjavur.

4. Taking into consideration the facts of the case and the submissions made by the learned counsel, this Court is inclined to grant anticipatory bail to the petitioners.



5. 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.1, Thanjavur on condition that the petitioner shall execute 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 said Magistrate, on further condition that:

[a] if the petitioners fail to surrender before the said Magistrate within a period of fifteen days, this order shall stand automatically cancelled.

[b] the petitioners shall appear before the trial Court on all hearing dates without fail.

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

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

[e] 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 as if the conditions have been imposed and the petitioners 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]**.

[f] If the accused thereafter abscond, a fresh FIR can be registered under Section 229-A IPC.

sd/-  
04/12/2018

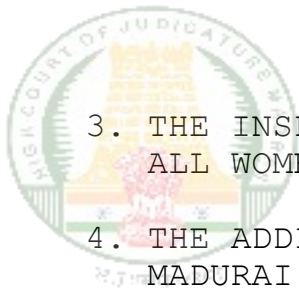
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Sub-Assistant Registrar (C.S.)  
Madurai Bench of Madras High Court,  
Madurai - 625 023.

TO

1. THE JUDICIAL MAGISTRATE NO.I,  
THANJAVUR

2. DO THRO' THE CHIEF JUDICIAL MAGISTRATE,  
THANJAVUR



3. THE INSPECTOR OF POLICE  
ALL WOMEN POLICE STATION, THANJAVUR

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

WEB COPY

ORDER

IN

CRL OP(MD) No.21423 of 2018

Date :04/12/2018

TA

MK/MMS/SAR 1/11.12.2018/3P/5C