



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

Friday, the Fifth day of January Two Thousand Eighteen

PRESENT

The Hon`ble Mr.Justice R.PONGIAPPAN

CRL OP(MD) No.107 of 2018

1 SAMUTHIRAVALLI
2 VEERAPANDI

... PETITIONERS/ACCUSED Nos.2 & 3

Vs

STATE REPRESENTED BY
INSPECTOR OF POLICE
ALL WOMEN POLICE STATION,
KARAIKUDI,
SIVAGANGAI DISTRICT.
IN CRIME NO.14 OF 2017

... RESPONDENT/ COMPLAINANT

For Petitioners : M/S.A.MURALIKUMAR Advocate

For Respondent : MR.K.S.DURAI PANDIAN, Additional Public Prosecutor

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

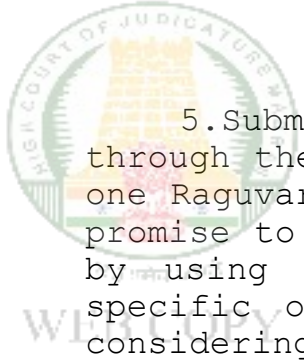
ORDER : The Court Made the following order :-

The petitioners, who apprehend arrest at the hands of the respondent Police for the offence punishable under Sections 493 and 506(i) IPC in Crime No.14 of 2017 on the file of the respondent Police, seek anticipatory bail.

2.The case of the prosecution is that due to love affairs, the accused namely, Raguvaran, by giving false promise to marriage the victim, he had physical contact with her on many occasion. When the victim asked the petitioners for marriage, they threatened her with dire consequences.

3.The learned counsel appearing for the petitioners submitted that the petitioners are innocent persons and they have been falsely implicated in this case. He further submitted that the petitioners have not committed any offence as alleged by the prosecution and they are no way connected with the offences, and pleads for grant of anticipatory bail to the petitioners.

4.The learned Additional Public Prosecutor submitted that investigation is not yet completed.



5.Submissions made on either side are considered. On going through the contentions raised in the FIR, it reveals the fact that one Raguvaram, who is the first accused in this case has made false promise to the victim and committed the above said offence. Except by using filthy language against the de facto complainant, no specific overt act is attributed against these petitioners. So considering the nature of the offences committed by the petitioner, custodial interrogation is not necessary for completing the investigation.

6.Taking all the abovesaid aspects into consideration and having regard to the nature of offence, this Court is inclined to grant anticipatory bail to the petitioners, with certain conditions. Accordingly, they 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 District Munsif cum Judicial Magistrate Court, Karaikudi on condition that each of the petitioners 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 petitioners are directed to appear before the respondent Police daily at 10.00 a.m. for a period of three weeks.

(ii)The petitioners shall make themselves available for interrogation as and when required by the Investigation Officer.

(iii)On breach of any of the aforesaid conditions, the anticipatory bail granted to the petitioners shall stand automatically cancelled, and 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)**.

sd/-
05/01/2018

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



1 THE DISTRICT MUNSIF CUM
JUDICIAL MAGISTRATE, KARAIKUDI

2 THE CHIEF JUDICIAL MAGISTRATE
KARAIKUDI

3 THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION, KARAIKUDI,
SIVAGANGAI DISTRICT.

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

+1. CC to M/S.A.MURALIKUMAR Advocate SR.No.242

ORDER
IN
CRL OP(MD) No.107 of 2018
Date :05/01/2018

SMA/CM-VR/SAR-2/10.01.2018:3P/6c