



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

Wednesday, the Twenty First day of February Two Thousand Eighteen
PRESENT

The Hon`ble Mr.Justice R.PONGIAPPAN

CRL OP(MD) No.2746 of 2018

1 T.KALEESWARI

2 M.MOUNADEVI

3 K.PACKIALAKSHMI

... PETITIONERS/ ACCUSED NOS.3 TO 5

Vs

STATE REP.BY

THE INSPECTOR OF POLICE,

PULIYANGUDI POLICE STATION,

PULIYANGUDI, TIRUNELVELI DISTRICT.

(CRIME NO.466 OF 2017)

... RESPONDENT / COMPLAINANT

For Petitioners: M/S.S.KARTHICK SUBRAMANIAN, Advocate

For Respondent : M/S.A.ROBINSON, Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

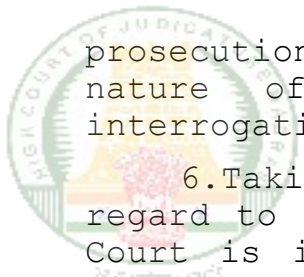
The petitioners, who apprehend arrest at the hands of the respondent Police for the offence punishable under Sections 147, 462, 294(b), 323, 506(ii) IPC and Section 4 of Tamil Nadu Prohibition of Harassment of Women Act and Section 3 of TNPPDL Act in Crime No.466 of 2017, seek anticipatory bail.

2.The case of the prosecution is that the petitioners herein are the College students. Due to the love affairs between students, the de facto complainant, who is the Principal of the said college, was scolded them. Due to which, the boy committed suicide. Therefore, the other students have trespassed into the room of the Principal and scolded her with filthy language and also threatened with dire consequences and thereby caused the damage of some properties worth about Rs.5,000/-. Hence, the present case has been registered.

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 Government Advocate(Crl.side) submitted that investigation is still pending.

5.The submissions made by the learned counsels appearing on either side are considered. It is alleged that during the time of the petitioners being students made threat towards their professor. Further in the alleged occurrence, the petitioners damaged the property worth about Rs.5,000/-. As per the case of the



prosecution part of the investigation is completed. Considering the nature of offence committed by the petitioners, custodial interrogation may not be necessary.

6. Taking the above said aspects into consideration and having regard to the nature of offence committed by the petitioners, 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 Judicial Magistrate Court, Sivagiri, 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 shall report before the respondent Police as and when required for interrogation.

(ii) each of the petitioners is directed to deposit a sum of Rs.1,000/- to the credit of Crime No.466 of 2017 before the learned Judicial Magistrate Court, Sivagiri.

(iii) the petitioners shall not tamper with evidence or witness either during investigation or trial.

(iv) the petitioners shall not abscond either during investigation or trial.

(v) 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/-

21/02/2018

/ TRUE COPY /

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

TO

1. THE JUDICIAL MAGISTRATE, SIVAGIRI.
2. DO-THROUGH THE CHIEF JUDICIAL MAGISTRATE,
TIRUNELVELI DISTRICT.
3. THE INSPECTOR OF POLICE, PULIYANGUDI POLICE STATION,
PULIYANGUDI, TIRUNELVELI DISTRICT.
4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- +1. CC to M/S.S.KARTHICK SUBRAMANIAN Advocate SR.No.2840

ORDER IN

CRL OP(MD) No.2746 of 2018

Date :21/02/2018