



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

Wednesday, the Ninth day of May Two Thousand Eighteen

PRESENT

The Hon`ble Mrs.Justice R.THARANI

CRL OP (MD) No.7648 of 2018

1 MARAGATHAM
2 JAGATHAMBAL

... PETITIONERS/ ACCUSED 2 & 3

Vs

STATE, REP.BY
THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION, AMBASAMUDRAM,
TIRUNELVELI DISTRICT,
CRIME NO.17/2015

... RESPONDENT / COMPLAINANT

For Petitioners : M/S.S.MAHENDRAPATHY Advocate

For Respondent : MR.K.SUYAMBULINGA BHARATHI,
Government Advocate (Crl. Side)

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

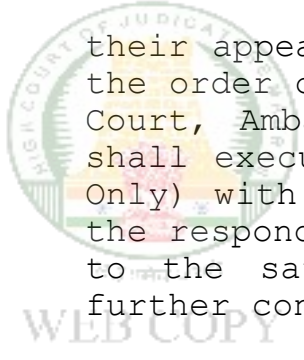
ORDER : The Court Made the following order :-

The petitioners / A2 and A3, who apprehend arrest at the hands of the respondent police for the alleged offences punishable under Sections 498(A), 494, 406 and 506(ii) IPC in C.C.No.662 of 2015, on the file of the learned Judicial Magistrate, Ambasamudram, seek anticipatory bail.

2. It is submitted by the learned counsel appearing for the petitioners that no summon was served on the petitioners and absconding charge sheet was filed and that non bailable warrant was issued against petitioners on 26.12.2017, by the learned Judicial Magistrate, Ambasamuthiram.

3. The learned Government Advocate (Crl. Side) appearing for the respondent submitted that due to the fact that the petitioners are shown as absconding in the charge sheet, the learned Judicial Magistrate has issued Non-Bailable Warrant.

4. Considering the fact that non bailable warrant was issued against the petitioners for the fact that they are shown in the charge sheet as absconding, this Court is inclined to grant anticipatory bail to the petitioners. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on



their appearance, within a period of 15 days from the date on which the order copy is made ready, before the learned Judicial Magistrate Court, Ambasamudram, on condition that the each of petitioners 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 respondent Police or the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further condition that:

[a] the petitioners shall appear before the learned Judicial Magistrate Court, Ambasamudram, daily at 10.30 a.m., until further orders.

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

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

[d] 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)**.

sd/-

09/05/2018

/ TRUE COPY /

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

TO

1 THE JUDICIAL MAGISTRATE, AMBASUMUDRAM

2 THE CHIEF JUDICIAL MAGISTRATE
TIRUNELVELI DISTRICT.

3 THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION, AMBASAMUDRAM,
TIRUNELVELI DISTRICT.

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

+1. CC to M/S.S.MAHENDRAPATHY Advocate SR.No.8347

GJM/PMI/GSR/11.5.18-2P-6C

ORDER

IN

CRL OP(MD) No.7648 of 2018

Date : 09/05/2018