



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

Monday, the Twenty Fifth day of June Two Thousand Eighteen

WEB COPY

PRESENT

The Hon`ble Mr.Justice G.R.SWAMINATHAN

CRL OP(MD) No.10277 of 2018

1 UTHUMAN ALI

2 PATHIMUTHU

... PETITIONERS / ACCUSED Nos.1&2

Vs

THE STATE REPRESENTED BY
THE INSPECTOR OF POLICE
DEVIPATTINAM POLICE STATION,
RAMANATHAPURAM DISTRICT
CRIME No.107 Of 2018

... RESPONDENT / COMPLAINANT

For Petitioners : Mr.A.UTHAYAKUMAR Advocate

For Respondent : Mr.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 apprehend arrest at the hands of the respondent Police for the offences under Sections 420, 294(b) and 506 (ii) of I.P.C. in Crime No.107 of 2018.

2.Heard the learned counsel for the petitioners and the learned Government Advocate (Crl. side) appearing for the respondent.

3.The allegation of the de facto complainant is that he paid a sum of Rs.90,000/- to the petitioners with a promise that he would be sent abroad for Driver job. Since such overseas job was not arranged by the petitioners, the de facto complainant lodged the First Information Report in question.

4.This Court is of the view that the transaction was only between the first petitioner and the de facto complainant. The second petitioner is the wife of the first petitioner. Therefore anticipatory bail is granted for the second petitioner alone.

5.This Court is not inclined to grant anticipatory bail to the first petitioner. Therefore, this Criminal Original Petition is dismissed in so far as the first petitioner is concerned.



6.Considering all these aspects, this Court is inclined to grant anticipatory bail to the 2nd petitioner with certain conditions. Accordingly, the 2nd petitioner is ordered to be released on bail in the event of arrest or on her appearance before the learned Judicial Magistrate No.I, Ramanathapuram and on her executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties for a like sum to the satisfaction of the learned Magistrate concerned and on further condition that the 2nd petitioner shall appear before the respondent police as and when required for interrogation. The 2nd petitioner shall comply with the conditions stipulated under Section 438 Cr.P.C. scrupulously.

7.The 2nd petitioner 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 dismissed.

sd/-
25/06/2018

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE NO.I,
RAMANATHAPURAM
- 2 DO-THROUGH THE CHIEF JUDICIAL MAGISTRATE
RAMANATHAPURAM
- 3 THE INSPECTOR OF POLICE
DEVIPATTINAM POLICE STATION,
RAMANATHAPURAM
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI

+1. CC to MR.A.UTHAYAKUMAR Advocate SR.No.11227

TSG
JAM/29/06/2018/ CSL-RR /GSR/ 2P-6C

ORDER
IN
CRL OP(MD) No.10277 of 2018
Date :25/06/2018