



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

Friday, the Twenty First day of December Two Thousand Eighteen

WEB COPY

PRESENT

The Hon`ble Mr.Justice M.NIRMAL KUMAR

CRL OP (MD) No.22664 of 2018

1 GAYATHRI
2 KAVITHA

... PETITIONER / ACCUSED No. 3 & 4

Vs

STATE, REP. BY
THE INSPECTOR OF POLICE
VELAYUTHAPATTINAM POLICE STATION,
SIVAGANGAI DISTRICT
(CRIME NO.55/2018)

... RESPONDENT / COMPLAINANT

For Petitioners : MR.S.M.SANJAY Advocate

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

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

ORDER : The Court Made the following order :-

The petitioners/Accused 3 and 4, apprehending arrest at the hands of the respondent police for the offence punishable under Sections 147, 448, 294(b), 323 and 506(ii), 379(NH) of I.P.C and Section 4 of TNPHW Act in Crime No.55 of 2018, seeks anticipatory bail.

2.The case of the prosecution is that on 02.12.2018, due to previous motive, the petitioners abused the defacto complainant in filthy language, attacked him, taken 2 sovereigns of gold ring and threatened him with dire consequences.

3.The learned counsel for the petitioners submits that the petitioners is innocent and he had nothing with the alleged crime. Hence, anticipatory bail may be granted to him.

4.The learned Government Advocate (Crl.Side) appearing for the respondent would submit that in this case, injured has been discharged from the hospital and investigation is going on.

<https://hcservices.ecourts.gov.in/hcservices/>

5.Considering the fact that injured has been discharged from



the hospital, this Court is inclined to grant anticipatory bail to the petitioners, with certain conditions:-

6. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance before the learned Judicial Magistrate, Devakottai and on their executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each with two sureties each for a like sum to the satisfaction of the learned Magistrate concerned and on further condition that

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

[b] the petitioners shall report before the respondent Police daily as and when required for interrogation.

[c] the petitioners shall not tamper with 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/-
21/12/2018

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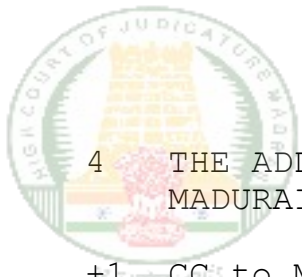
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

1 THE JUDICIAL MAGISTRATE
DEVAKOTTAI

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE
SIVAGANGAI DISTRICT

3 THE INSPECTOR OF POLICE
<https://hcservices.ecourts.gov.in/hcservices/>
VELAYUTHAPATTINAM POLICE STATION,
SIVAGANGAI DISTRICT



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

+1. CC to MR.S.M.SANJAY Advocate SR.No.23872

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ORDER

IN

CRL OP (MD) No.22664 of 2018

Date :21/12/2018

MSI/VR/SAR-I/28.12.2018-3P/6C