



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

Thursday, the Twenty Ninth day of November Two Thousand Eighteen

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PRESENT

The Hon`ble Mr.Justice M.NIRMAL KUMAR

CRL OP(MD) No.20652 of 2018

1. M. SANKAR
2. C. SALAIAPPAN
3. S. JEYA

... PETITIONERS/ ACCUSED NO.2,4&5

Vs

THE STATE REP. THROUGH
THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
NILAKOTTAI,
DINDIGUL DISTRICT.
IN CRIME NO. 13 OF 2018

... RESPONDENT / COMPLAINANT

For Petitioners : M/S.S.ISRAEL Advocate

For Respondent : MR.S.CHANDRASEKAR, 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 offences punishable under Sections 341, 354, 323 and 506(ii) IPC, in Crime No.13 of 2018, seek anticipatory bail.

2.The case of the prosecution is that A1 is the son of second and third petitioner, was interested in marrying the petitioner's sister son who is residing near the area. The second and third petitioners had gone and asked the defacto complainant for marriage proposal. The defacto complainant and her family members refused the same. Aggrieved over the same, A1 alone had pulled the hands of the defacto complainant on 04.11.2018. In continuation to the same, on 06.11.2018, the petitioners is said to have threatened the defacto complainant through broom stick. Hence, the complaint.

3.The learned counsel for the petitioners would submit that the petitioners are innocent persons and they have nothing to do with the alleged offence. He further submitted that A1 is the main accused and he was arrested by the respondent police.



4. The learned Additional Public Prosecutor for the respondent police submitted that investigation is pending.

5. Taking into consideration the facts of the case, this Court is inclined to grant anticipatory bail to the petitioners.

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6. Accordingly, the petitioners 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, Nilakottai, Dindigul, on condition that the petitioners shall execute 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 said Magistrate, on further condition that:

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

[b] the first and third petitioners shall report before the respondent police daily at 10.30 a.m., for a period of two weeks and the third petitioner shall report before the respondent police 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/-
29/11/2018

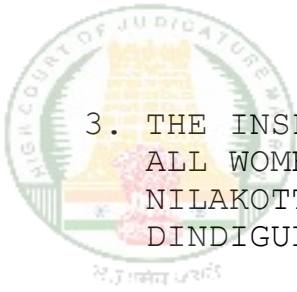
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Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

1. THE JUDICIAL MAGISTRATE,
NILAKOTTAI, DINDIGUL

2. DO. THEO! THE CHIEF JUDICIAL MAGISTRATE,
DINDIGUL DISTRICT



3. THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION,
NILAKOTTAI,
DINDIGUL DISTRICT

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

+1. CC to M/S.S.ISRAEL Advocate SR.No.22367

ORDER

IN

CRL OP (MD) No.20652 of 2018

Date :29/11/2018

MK/JC/SAR 2/04.12.2018/3P/6C