



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

Tuesday, the Twentieth day of November Two Thousand Eighteen

WEB COPY

PRESENT

The Hon`ble Mr.Justice M.NIRMAL KUMAR

CRL OP(MD) No.20630 of 2018

1 T.RAJESHWARI

2 INDIRA

... PETITIONERS / ACCUSED NO.4 & 5

Vs

STATE REP. BY  
THE INSPECTOR OF POLICE,  
ALL WOMEN POLICE STATION SOUTH,  
MADURAI CITY.  
IN CRIME NO. 19 OF 2018

... RESPONDENT / COMPLAINANT

For Petitioner : MR.A.ANANDA RAJ 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/A-4 and A-5, who apprehend arrest at the hands of the respondent police for the alleged offences punishable under Sections 498(A) and 406 of IPC in Crime No.91 of 2018, seek anticipatory bail.

2. The case of the prosecution is that A-1 brother of the petitioners had married the defacto complainant in the year 2002 and they were living separately till 13.05.2018. Thereafter, she had left her parents' home and lodged a complaint. The petitioners had been roped in for the reason that A-1 is the estranged husband of the defacto complainant and the petitioners have been married, even prior to the marriage of the defacto complainant.

3. The learned counsel appearing for the petitioners would submit that the petitioners are innocent and they have nothing to do with the alleged crime. Hence, anticipatory bail may be granted to the petitioners.



4. The learned Government Advocate (Crl.Side) appearing for the respondent, on instructions, would submit that investigation is almost over.

5. Considering the nature of the dispute, 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 cum Additional Mahila Court, Madurai on condition that the petitioners shall each 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 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 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/-  
20/11/2018

/ TRUE COPY /

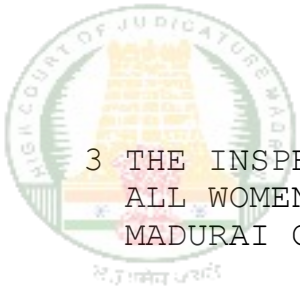
Sub-Assistant Registrar (C.S.)  
Madurai Bench of Madras High Court,  
Madurai - 625 023.

TO

1 THE JUDICIAL MAGISTRATE CUM  
ADDITIONAL MAHILA COURT, MADURAI.

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

2 DO THROUGH THE CHIEF  
JUDICIAL MAGISTRATE, MADURAI.



3 THE INSPECTOR OF POLICE,  
ALL WOMEN POLICE STATION SOUTH,  
MADURAI CITY.

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

+1. CC to M/S.A.ANANDA RAJ Advocate SR.No. 21807

ORDER  
IN  
CRL OP (MD) No.20630 of 2018  
Date :20/11/2018

JM/VR MMS/SAR 2/27.11.2018/3P/6C