



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

Monday, the Third day of December Two Thousand Eighteen

PRESENT

The Hon`ble Mr.Justice M.NIRMAL KUMAR

CRL OP(MD) No.21326 of 2018

1 MANONMANI
2 PUSPHA LATHA
3 MUTHU LAKSHMI
4 USHARANI
5 SANKARI

... PETITIONERS / ACCUSED No. 2,3,4,5 and 6

Vs

THE STATE REP. BY,
THE INSPECTOR OF POLICE
CITY CRIME BRANCH,
TIRUNELVELI CITY.
CRIME NO. 65 OF 2012

... RESPONDENT / COMPLAINANT

For Petitioners : MR.R.ANAND Advocate

For Respondent : MR.M.ASOKAN , Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

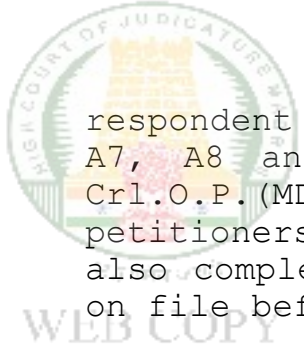
The petitioners apprehend arrest at the hands of the respondent police for the offences punishable under Sections 465, 467, 468, 471, 419 and 420 I.P.C., in Crime No.65 of 2012, seek anticipatory bail.

2. The case of the prosecution is that due to civil dispute between the petitioners and the defacto complainant, the defacto complainant has lodged a complaint against the petitioners and others. Hence a case has been registered.

3. The learned counsel for the petitioners would submit that the petitioners and the defacto complainant have residing in the same village. They have not committed any offence as alleged by the prosecution. Hence, he prays for grant of anticipatory bail to the petitioners.

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4.The learned Government Advocate (Criminal Side) for the



respondent would submit that the co-accused in this case, ie., A1, A7, A8 and A9 this Court already granted anticipatory bail in CrI.O.P.(MD)No.16717 of 2012, dated 08.11.2012 itself. These petitioners are arrayed as A2 to A6 and investigation in this case also completed, charge sheet has been filed and is yet to be taken on file before the concerned Magistrate.

5.Considering the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioners.

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 No.1, Tirunelveli, 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] the petitioners shall report before the concerned Court on every hearing.

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

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

[d] the petitioners shall not abscond during trial.

[e] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the conditions have been imposed and the petitioner 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/-

03/12/2018

/ TRUE COPY /

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

TO

1 THE JUDICIAL MAGISTRATE NO I
TIRUNELVELI DISTRICT

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE
TIRUNELVELI
<https://hcservices.ecourts.gov.in/hcservices/>



3

3 THE INSPECTOR OF POLICE
CITY CRIME BRANCH,
TIRUNELVELI CITY.

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

WEB COPY

ORDER

IN

CRL OP (MD) No.21326 of 2018

Date :03/12/2018

MSI/VR-MMS/SAR-II/11.12.2018-3P/5C