



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

Monday, the Twenty Eighth day of January Two Thousand Nineteen

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PRESENT

The Hon`ble Mr.Justice M.NIRMAL KUMAR

CRL OP (MD) No.1165 of 2019

1 A. SATISH @ M. CHINNASAMY

2 C. CHELLAMMAL

3 P. KARUPPAYEE

... PETITIONERS/ACCUSED Nos. 1,4 & 5

Vs

THE INSPECTOR OF POLICE

ALL WOMEN POLICE STATION, USILAMPATTI,

MADURAI DISTRICT.

(CRIME NO. 48 OF 2017)

... RESPONDENT / COMPLAINANT

For Petitioners : MR.R.M.GURURAJ 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, who apprehend arrest at the hands of the respondent police for the alleged offences punishable under Sections 366(A), 341 and 342 IPC r/w Sections 7,8 and 18 of the POCSO Act, in Cr.No.48 of 2017, seek anticipatory bail.

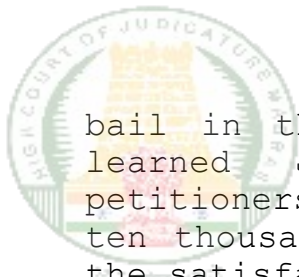
2. The learned counsel appearing for the petitioners would submit that the petitioners were already granted anticipatory bail by this Court in Crl.O.P(MD)No.22161 of 2018 dated 02.01.2019. Since the petitioners did not execute sureties within the stipulated time, this petition has been filed.

4. The learned Government Advocate (Criminal Side) would submit that the petitioners were already granted anticipatory bail in Crl.O.P(MD)No.22161 of 2018 dated 02.01.2019.

5. Taking into consideration the facts of the case and the submissions by learned counsels, this Court is inclined to grant anticipatory bail to the petitioners.

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

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, Usilampatti, 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 conditions that:

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[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 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/-

28/01/2019

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

TO

1 THE JUDICIAL MAGISTRATE
USILAMPATTI, MADURAI DISTRICT

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE
MADURAI DISTRICT

3 THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION,
USILAMPATTI, MADURAI DISTRICT.

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

+1. CC to MR.R.M.GURURAJ Advocate SR.No.1735
ORDER

IN

CRL OP(MD) No.1165 of 2019

Date :28/01/2019