



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

Friday, the Eleventh day of January Two Thousand Nineteen

PRESENT

The Hon`ble Mr.Justice M.NIRMAL KUMAR

CRL OP(MD) No.276 of 2019

1 SELVAKUMAR
2 SELVAMPIGAI
3 RAJAGOPAL
4 LATHA @ PADMALATHA

... PETITIONERS / ACCUSED NO.1 to 4

Vs

STATE REP BY
THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
SATTUR, VIRUDHUNAGAR DISTRICT.
CRIME NO.11/2018

... RESPONDENT / COMPLAINANT

For Petitioners: Mr.M.M.MANIVEL PANDIAN, 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, who apprehend arrest at the hands of the respondent police for the alleged offences punishable under Sections 294(b), 406, 498(A) and 506(i) IPC and Section 4 of Tamil Nadu Prevention of Harassment of Women Act and Section 4 of Tamil Nadu Prevention of Dowry Harassment of Women Act in Cr.No.11 of 2018 seek anticipatory bail.

2. The case of the prosecution is that the petitioners alleged to have abused and attacked the defacto complainant at her matrimonial home for the reason of demanding dowry.

3. 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.19385 of 2018 dated 30.10.2018. Since the petitioners did not execute sureties within the stipulated time, an Extension Petition has been filed. This Court, by order dated 29.11.2018, had granted extension of time. Thereafter, the petitioners had approached the Village Administrative Officer to get Solvency certificate and Nativity Certificate. Due to the revenue



officials strike, the petitioners could not obtain the revenue certificate from the Revenue Department and they could not comply with the condition.

4. The learned Government Advocate (Criminal Side) would submit that the petitioners were already granted anticipatory bail in CrI.O.P(MD)No.19385 of 2018 dated 30.10.2018.

5. Taking into consideration the facts of the case and the submissions by the learned counsel, 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, before the learned Judicial Magistrate No.I, Sattur, Virudhunagar District, 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, within a period of two weeks from the date of receipt of a copy of this order, on further conditions that:

[a] if the petitioners fail to surrender before the said Magistrate within a period of two weeks from the date of receipt of a copy of this order, 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 petitioner 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.

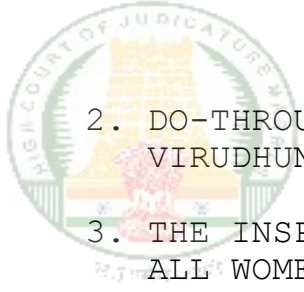
sd/-

11/01/2019

/ TRUE COPY /

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

TO



2. DO-THROUGH THE CHIEF JUDICIAL MAGISTRATE,
VIRUDHUNAGAR DISTRICT AT SRIVILIPUTTUR.

3. THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
SATTUR, VIRUDHUNAGAR DISTRICT.

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

+1CC TO Mr.M.M.MANIVEL PANDIAN, Advocate, Sr No.775

ORDER

IN

CRL OP(MD) No.276 of 2019

Date :11/01/2019

MS/JC/SAR-3/20.01.2019/3P.6C