



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

Friday, the First day of March Two Thousand Nineteen

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.3225 of 2019

1 MARIMUTHU
2 PUSHBAVALLI

... PETITIONERS / ACCUSED
No.3 and 4

Vs

THE STATE REP.BY
THE INSPECTOR OF POLICE,
KADALADI POLICE STATION,
RAMANATHAPURAM DISTRICT.
Crime No.109/2018

... RESPONDENT / COMPLAINANT

For Petitioner : Mr.K.R.LAXMAN 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 under Sections 176 and 201 of IPC, in Cr.No.109 of 2018 on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that there was a matrimonial dispute between the petitioners and the deceased. The first petitioner married the deceased, out of wedlock, they blessed with one male child. After birth of the child, the deceased has committed suicide. Hence, the case been registered against the petitioners.

3.The learned counsel appearing for the petitioners would submit that the petitioners are innocent person and they have not committed any offence as alleged by the prosecution. It is a case in counter case.

4.The learned Government Advocate (Crl.Side) appearing for the State would submit that the investigation is pending.



5. Considering the facts and circumstances of this case, 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, Mudukuladur, Ramanathapuram District, 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 respondent police or the police officer, who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further condition that:

(a) the petitioners and the sureties shall affix their photographs and left thumb impression in the surety bond and the learned Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

(b) the first petitioner shall report before the respondent police daily at 10.30 a.m., until further orders;

(c) the second petitioner shall report before the respondent police as and when required for interrogation;

(d) the petitioners shall not tamper with evidence or witness either during investigation or trial;

(e) the petitioners shall not abscond either during investigation or trial;

(f) 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]; and;

(g) if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

sd/-
01/03/2019

/ TRUE COPY /

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



TO

1. THE JUDICIAL MAGISTRATE,
MUDUKULADUR, RAMANATHAPURAM DISTRICT.

2. THE CHIEF JUDICIAL MAGISTRATE,
RAMANATHAPURAM DISTRICT.

3. THE INSPECTOR OF POLICE
KADALADI POLICE STATION,
RAMANATHAPURAM DISTRICT.

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

+1. CC to Mr.G.VISHNURAM Advocate SR.No.4168

ORDER
IN
CRL OP(MD) No.3225 of 2019
Date :01/03/2019

TK/PN/SAR-1/06.03.2019/3P/6C