



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

Thursday, the Tenth day of January Two Thousand Nineteen

WEB COPY

PRESENT

The Hon`ble Mr.Justice M.NIRMAL KUMAR

CRL OP(MD) No.345 of 2019

1 M.SAKTHIVEL
2 M.GANESAMURTHY
3 R.SURESH
4 P.KUMARESAN @ MUTHU
5 P.ILAYARAJA

... PETITIONERS / ACCUSED NOS.1 TO 5

Vs

STATE REP. BY
THE INSPECTOR OF POLICE,
MATHUR POLICE STATION,
PUDUKKOTTAI DISTRICT,
CRIME NO.200/2018

... RESPONDENT / COMPLAINANT

For Petitioners : MR.C.VAKEESWARAN 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 apprehends arrest at the hands of the respondent police for the alleged offences punishable under Sections 294, 323 and 506(ii) IPC in Crime No.200 of 2018, seek anticipatory bail.

2.The case of the prosecution is that the marriage of the son of the defacto complainant was solemnized with one Anupriya with threat on the side of petitioner's family members. The son of the defacto complainant committed suicide due to the threatening and forcible marriage on the side of the petitioners. On 24.12.2018, the petitioners came in a car with deadly weapons and scolded the defacto complainant and her family members and also threatened them. Hence, the complaint.

3.The learned counsel for the petitioners would submit that a false case has been foisted against them and they have nothing to do with the alleged offence.



4. The learned Government Advocate (Crl.side) would submit that this is a case in counter case.

5. Taking into consideration the facts of the case and the submissions made by the learned counsel, this Court 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, Keeranur, on condition that each of 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 said Magistrate, on further condition that:

[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 Deputy Superintendent of Police, Keeranur daily at 10.30 a.m., until further orders.

[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/-

10/01/2019

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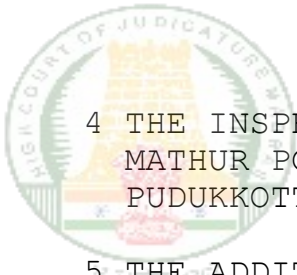
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

1 THE JUDICIAL MAGISTRATE,
KEERANUR.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
PUDUKOTTAI.

3 THE DEPUTY SUPERINTENDENT OF POLICE, KEERANUR.



4 THE INSPECTOR OF POLICE,
MATHUR POLICE STATION,
PUDUKKOTTAI DISTRICT.

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

+1. CC to M/S.C.VAKEESWARAN Advocate SR.No. 605

ORDER
IN
CRL OP (MD) No.345 of 2019
Date :10/01/2019

JM/JC/SAR 3/21.01.2019/3P/7C