



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

Tuesday, the Twenty Sixth day of March Two Thousand Nineteen

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.4441 of 2019

1.M.BABU
2 N.HARIRAM
3 H.KALAVATHY,
4 MAYILRAJAN
5 M.AMARAJOTHI
6 M.RAJA BHARATHI
7 M.YOGALAKSHMI

... PETITIONERS / ACCUSED Nos.1 TO 7

Vs

STATE REP.BY
THE INSPECTOR OF POLICE,
THALLAKULAM POLICE STATION,
MADURAI.
(CRIME NO. 58 OF 2019)

... RESPONDENT / COMPLAINANT

For Petitioners : MR. P. SARAVANAN Advocate

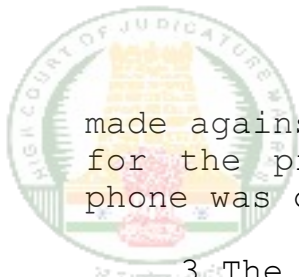
For Respondent : MR.K.SUYAMBULINGA BHARATHI,
Govt. Advocate (Crl. Side)

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 offence under Sections 294 (b) and 506(i) of IPC in Cr.No.58 of 2019, on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that the first petitioner and the defacto complainant are husband and wife and have two children. The second and third petitioners are father-in-law and mother-in-law of the defacto complainant. There was some misunderstanding between the first petitioner and the defacto complainant, due to the friendship of defacto complainant with someone. Later, the defacto complainant went to her parents home. Some serious allegations were



made against the first petitioner and there is no proof for the same for the present, since it is submitted that the disputed mobile phone was destroyed.

3.The learned counsel appearing for the petitioners would submit that the petitioners have been falsely implicated in this case.

4.The learned Government Advocate(Crl.side) submitted that the disputed mobile phone was destroyed by both the parents of petitioner and the defacto complainant. Further, the First Information Report came to be registered on the directions under Section 156 (3) Cr.P.C., by the learned Judicial Magistrate No.II, Madurai.

5.Considering the facts and circumstances, this Court is inclined to grant anticipatory bail to the petitioners. 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.II, Madurai, on condition that the petitioner 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 Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

(b)the petitioners 1, 2, 4 and 6 shall report before the respondent police daily at 10.30 a.m.,until further orders and the petitioners 3, 5 and 7 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]**; and;



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

sd/-
26/03/2019

WEB COPY

/ TRUE COPY /

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

TO

1. THE JUDICIAL MAGISTRATE NO. II,
MADURAI.
 2. DO THRO' THE CHIEF JUDICIAL MAGISTRATE,
MADURAI DISTRICT.
 3. THE INSPECTOR OF POLICE,
THALLAKULAM POLICE STATION,
MADURAI.
 - 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.
- +1. CC to MR. P. SARAVANAN Advocate SR.No.5523

ORDER
IN
CRL OP (MD) No.4441 of 2019
Date : 26/03/2019

vsg
AE/JC/SAR-I/28.03.2019/4P/6C