



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

Monday, the Twenty Ninth day of April Two Thousand Nineteen

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.6115 of 2019

1 PALANICHAMY
2 KAMUTHAI

... PETITIONERS / ACCUSED 2 AND 3

Vs

STATE REP.BY
THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION,
THIRUPATHUR,
SIVAGANGAI DISTRICT.

... RESPONDENT / POLICE

For Petitioners : Mr.K.SHANMUGA RAJA 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 :-

This petition has been filed to enlarge the petitioner on bail in the event of arrest or surrender in Crime No.5 of 2014 and subsequently directing them to produce money sureties, on the file of the respondent police.

2.The petitioners are A2 & A3. They are parents of A1. An earlier occasion, this Court grant anticipatory bail to the petitioners in Crl.OP(MD)No.17675 of 2014 on 29.07.2015. When the petitioners appeared before the learned Judicial Magistrate concern, for producing sureties, the learned Judicial Magistrate has not accepted the sureties for the reason that the petitioners and the sureties have a huge age difference, but formally stated a reason as xerox copy of the ration card not attached. Hence, they filed another anticipatory bail petition before this Court.

3.The learned counsel appearing for the petitioners would submit that the the petitioners' current age is differ from the Family Ration Card. In the Family Ration Card, petitioners age is stated about 84 & 80. Hence, the learned Judicial Magistrate has not accepted the sureties of the petitioners. Therefore, the petitioners pray this Court to produce money sureties.



4. The learned Government Advocate (Crl.Side) has no objection to produce money sureties before the concerned Magistrate.

5. Considering the fact and circumstance of case and considering the submission of the learned counsel for the petitioners, this Court modified the condition imposed on the petitioners in Crl.OP(MD)No.17675 of 2014 on 29.07.2015, as the petitioners shall furnish the money sureties each Rs.10,000/- before the learned Judicial Magistrate, Thirupathur. The other conditions shall remain.

6. With the above direction, this anticipatory bail petition is disposed of.

sd/-
29/04/2019

/ TRUE COPY /

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

TO

1. THE JUDICIAL MAGISTRATE,
THIRUPATHUR.
2. THE CHIEF JUDICIAL MAGISTRATE,
SIVAGANGAI DISTRICT.
3. THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION,
THIRUPATHUR, SIVAGANGAI DISTRICT.
4. THE ADDITIONAL PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to Mr.K.SHANMUGA RAJA Advocate SR.No.7825

ORDER
IN
CRL OP(MD) No.6115 of 2019
Date :29/04/2019

TK/PN/SAR-3/10.05.2019/2P/6C