

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

Tuesday, the Thirtieth day of April Two Thousand Nineteen

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP (MD) No.6612 of 2019

1.KARTHEESWARI,
2 A.RAMASAMY,
3 R.RANI,

.... PETITIONERS / ACCUSED
RANK NOT KNOWN

Vs

THE STATE REP.BY ITS
THE INSPECTOR OF POLICE,
VACHAKARAPATTI POLICE STATION,
VIRUDHUNAGAR DISTRICT.
(CRIME NO.NOT KNOWN OF 2019)

.... RESPONDENT / COMPLAINANT

For Petitioners : MR.C.JEYAPRAKASH 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(ii) of IPC in Crime No.Not Known of 2019 on the file of the respondent police, seek anticipatory bail.

2.It is the case of the prosecution that the defacto complainant is the husband of the first petitioner. Due to family dispute, the first petitioner had deserted the defacto complainant for which the defacto complainant preferred a complaint before the respondent police.

3.The learned counsel appearing for the petitioners would submit that the petitioners have been falsely implicated in this case and they have nothing to do with the alleged offence. In fact, the first petitioner is the wife of the defacto complainant whereas the second and third petitioners are the father-in-law and mother-

in-law of the defacto complainant.

4.The learned Government Advocate(Crl.side) appearing for the respondent police would submit that injured was treated as out patient.

5.Considering the facts and circumstances and considering the fact that the injured was treated as out patient , 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 Judicial Magistrate Court No.1, Virudhunagar, 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 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 shall report before the respondent police daily at 10.30 a.m.,until further orders;

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

(d)the first 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/-

30/04/2019

/ TRUE COPY /

TO

1. THE JUDICIAL MAGISTRATE COURT NO.I,
VIRUDHUNAGAR.

2. DO THRO' THE CHIEF JUDICIAL MAGISTRATE,
VIRUDHUNAGAR DISTRICT AT SRVILLIPUTHUR.

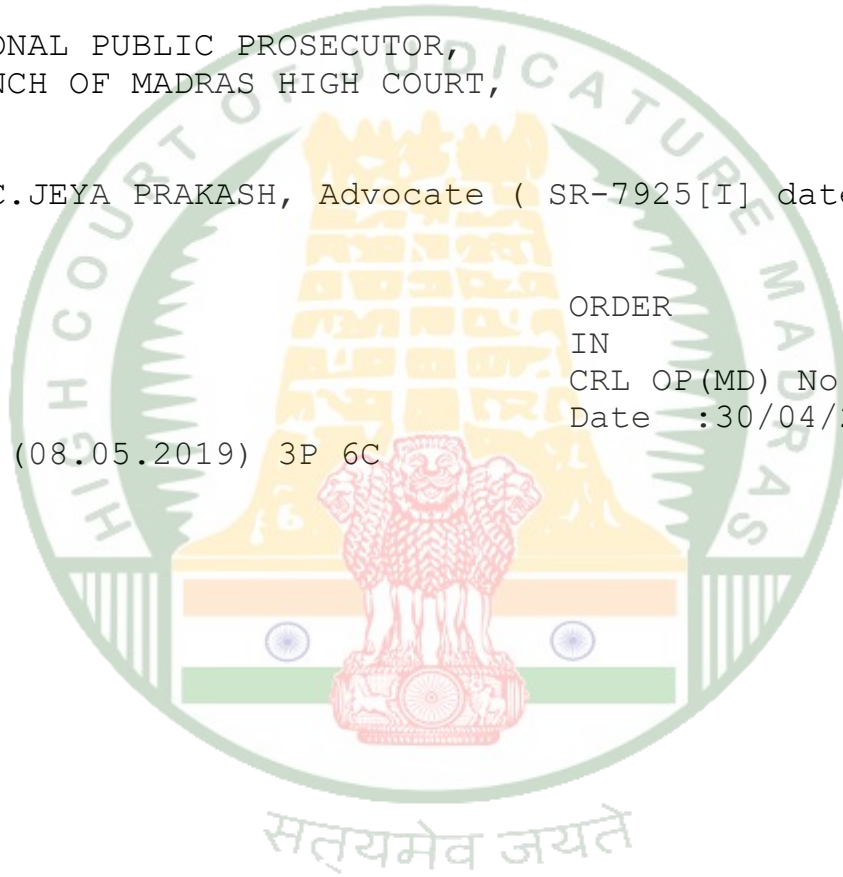
3. THE INSPECTOR OF POLICE,
VACHAKARAPATTI POLICE STATION,
VIRUDHUNAGAR DISTRICT.

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

+1 CC to MR.C.JEYA PRAKASH, Advocate (SR-7925[I] dated 30/04/2019)

ORDER
IN
CRL OP(MD) No.6612 of 2019
Date :30/04/2019

AE/PN/SAR-I/ (08.05.2019) 3P 6C



WEB COPY