



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

Wednesday, the Fifteenth day of May Two Thousand Nineteen

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP (MD) No.7052 of 2019

1 A.RAMASAMY
2 R.RANI
3 KARTHEESWARI

... PETITIONERS/ACCUSED 1 to 3

Vs

THE STATE REP.BY ITS.,
INSPECTOR OF POLICE,
VACHAKARAPATTI POLICE STATION,
VIRUDHUNAGAR DISTRICT.
(CRIME NO.133 OF 2019)

... RESPONDENT/COMPLAINANT

For Petitioners : M/S.C.JEYAPRAKASH, Advocate

For Respondent : MR.K.K.RAMAKRISHNAN, Additional Public Prosecutor

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 294(b), 323, 342 & 506 (i) of IPC, in Cr.No.133 of 2019, on the file of the respondent police, seek anticipatory bail.

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

3.The learned counsel appearing for the petitioners would submit that on an earlier occasion, this Court granted anticipatory bail in CrI.O.P.(MD)No.6612 of 2019, dated 30.04.2019, without crime number. Hence, the petitioner filed a present petition before this Court with crime number.

4.The learned Additional Public Prosecutor appearing for the respondent police would submit that the injured was treated as out patient.
<https://hcservices.ecourts.gov.in/hcservices/>



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 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 and the second and third petitioners 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/-
15/05/2019

/ TRUE COPY /

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



TO

1. THE JUDICIAL MAGISTRATE NO. I,
VIRUDHUNAGAR

2. DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
VIRUDHUNAGAR DISTRICT AT SRIVILLIPUTHUR

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

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

+1. CC to M/S. C. JEYAPRAKASH Advocate SR. No. 8434

ORDER

IN

CRL OP (MD) No. 7052 of 2019

Date : 15/05/2019

SJI

PK/PN/SAR-2/17.05.2019 : 3P/6C