



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

Wednesday, the Fifteenth day of May Two Thousand and Nineteen

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PRESENT

The Hon'ble Mr Justice B.PUGALENDHI

CRL OP(MD) No.7214 of 2019

1 UMA
2 VELMURUGAN
3 ILAYARAJA
4 BALAMURUGAN
5 KALA
6 PONNANAI ... PETITIONERS / ACCUSED No. 1 to 6

Vs

THE STATE REPRESENTED BY THE
INSPECTOR OF POLICE
MELUR POLICE STATION, MELUR,
MADURAI DISTRICT.
(CRIME NO.287 OF 2019) ... RESPONDENT / COMPLAINANT

For Petitioners : M/S.R.KARUNANIDHI Advocate

For Respondent : Mr.A.Robinson, Govt. Advocate (Crl. Side)

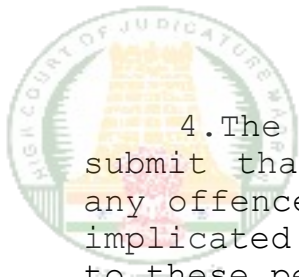
PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioners /accused Nos.1 to 6, who apprehend arrest at the hands of the respondent police for the alleged offences punishable under Sections 147, 341, 294(b), 323, 324 and 506(ii) IPC r/w Section 4 TNWH Act (Tamil Nadu Women Harassment Act) in Crime No.287 of 2019 on the file of the respondent police, seek anticipatory bail.

2.Heard Mr.R.Karunanidhi, learned Counsel for the petitioners and Mr.A.Robinson, learned Government Advocate (Crl. Side) appearing for the State.

3.The case of the prosecution is that the petitioners went to the house of the defacto complainant on 27.04.2019, threatened the defacto complainant and attacked with dire consequences.



4. The learned counsel appearing for the petitioners would submit that the petitioners are innocents and they did not commit any offence as alleged by the prosecution and they have been falsely implicated in this case. Hence, he prays to grant anticipatory bail to these petitioners.

5. The learned Government Advocate (Crl. Side) appearing for the respondent Police submitted that the defacto complainant sustained only simple injury.

6. Taking into consideration the facts and circumstances of the case and also considering the fact that the defacto complainant sustained only simple injury and there is no bad antecedent against the petitioners, this Court is inclined to grant anticipatory bail to the petitioners with the following conditions.

7. 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 on which the order copy was made ready before the learned Judicial Magistrate, Melur, Madurai District, on condition that the petitioners shall execute a separate bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each with two sureties, for a like sum to the satisfaction of the respondent Police and on further conditions that:-

[a] the petitioners as well as the sureties shall submit a copy of their Aadhar card or any other identity cards issued by the Government, in proof of their address, along with the surety bonds.

[b] the petitioners shall report before the respondent police as and when required for interrogation.

[c] the petitioners shall not tamper the evidence or witness either during investigation or trial.

[d] the petitioners shall co-operate for the investigation and the trial. The petitioners shall not abscond either during investigation or trial and in event of the petitioners abscond, the respondent police shall register a case as provided under Section 229-A IPC.

[e] in the event of breach of any of the aforesaid conditions, the learned Magistrate / trial Court is entitled to take appropriate action against the petitioners, as per the principles laid down by the Hon'ble Supreme Court in **P.K.Shaji vs. State of Kerala [(2005) AIR SCW 5560]**.

Sd/-

15/05/2019

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



TO

1 THE JUDICIAL MAGISTRATE,
MELUR, MADURAI DISTRICT

2 DO THROUGH- THE CHIEF JUDICIAL MAGISTRATE,
MADURAI DISTRICT.

3 THE INSPECTOR OF POLICE
MELUR POLICE STATION, MELUR,
MADURAI DISTRICT.

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

+2. CC to M/S.R.KARUNANIDHI Advocate SR.No.8585, 8663

ORDER

IN

CRL OP (MD) No.7214 of 2019

Date :15/05/2019

ES/KK/PN/17.05.2019/4P/7C