



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

Friday, the Seventh day of June Two Thousand Nineteen

PRESENT

The Hon`ble Mr.Justice P.RAJAMANICKAM

CRL OP(MD) No.7843 of 2019

1 JEYAMARY

2 ROSY

... PETITIONERS / ACCUSED No.2 & 3

Vs

STATE REP. BY
THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
THIRUVEAMBUR,
TRICHY DISTRICT.
CRIME NO.9 OF 2019

... RESPONDENT / COMPLAINANT

For Petitioner : MR.A.THIRUVADI KUMAR Advocate

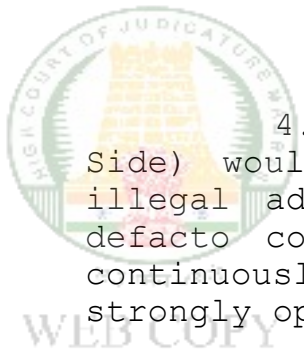
For Respondent : Mrs.M.ANANTHA DEVI, Government Advocate (Crl.Side)

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

ORDER : The Court Made the following order :-

2. Heard both sides.

3. The learned counsel for the petitioners would submit that the petitioners are the accused Nos.2 & 3 and the 1st petitioner is the mother and the 2nd petitioner is the sister of the 1st accused. He further would submit that the defacto complainant is the wife of the 1st accused and the marriage between the first accused and the defacto complainant was solemnized on 08.06.2014 and at the time of marriage, the 1st accused was working in Dubai and hence, after the marriage the 1st accused took the defacto complainant to Dubai and they led matrimonial life only at Dubai. He would further submit that out of their wedlock, two children were born and that being so, the allegation against the petitioners that they frequently calling the 1st accused and gave illegal advise and based on the illegal advise the 1st accused had assaulted the defacto complainant is false He would further submit that the dispute is only between the 1st accused and the defacto complainant, in which, unnecessarily the petitioners herein were robed. Hence, he played for grant of anticipatory bail to the petitioners.



4. Per contra, the learned Government Advocate (Criminal Side) would submit that since the petitioners herein are giving illegal advise to the accused No.1, he is not taking back the defacto complainant to Dubai and further these petitioners have continuously harassed the defacto complainant and therefore, she strongly opposed to allow this petition.

5. Taking into consideration the fact that the 1st accused is now at Dubai and the defacto complainant also went to Dubai and stayed there for some time and two children were born to them and also considering the fact that, now the petitioners are at Tiruchirappalli, this Court is inclined to grant anticipatory bail to the petitioners by imposing conditions.

[a] the petitioner is ordered to be released on bail on his executing a bond for a sum of Rs.10,000/- (Rupees ten thousand only) with two sureties each for a like sum to the satisfaction of the The Judicial Magistrate/additional Mahila Court, Tiruchirappalli..

[b] the petitioner shall report before the Respondent, daily at 10.30 A.M. for a period of Three Weeks and thereafter, as and when required for the interrogation.

[c] the petitioner shall not abscond either during investigation or trail.

[d] the petitioner shall not tamper with evidence or witness either during investigation or trail.

[e] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the conditions have been imposed and the petitioner 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].

[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

sd/-

07/06/2019

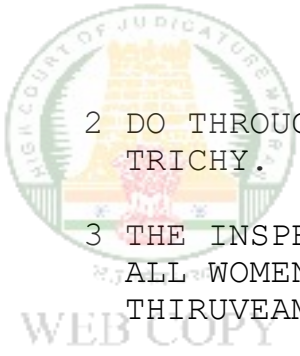
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Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

1 THE JUDICIAL MAGISTRATE/
ADDITIONAL MAHILA COURT,

<https://hcservices.ecourts.gov.in/hcservices/>
TIRUCHIRAPPALLI.



2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
TRICHY.

3 THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
THIRUVEAMBUR, TRICHY DISTRICT.

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

+1 CC to M/s.A.THIRUVADI KUMAR, Advocate (SR-9270[I] dated
07/06/2019)

ORDER

IN

CRL OP(MD) No.7843 of 2019

Date :07/06/2019

JM/VR/SAR 2/18.06.2019/3P/6C