



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT, MADURAI

(Criminal Jurisdiction)

Date : 24/06/2019

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PRESENT

The Hon`ble Mr.Justice P.RAJAMANICKAM

CRL OP(MD) . No.7857 of 2019

1. Singaraj,
2. Thangam,,
3. Maruthurajan,,
4. Vasanthakumari,
5. Vishalakshi,
6. Ambika,,

... Petitioners

Vs

The State represented by
The Inspector of Police,
All Women Police Station,
Sankarankovil,
Tirunelveli District.
(Cr.No.3 of 2019).

... Respondent

Muthuthayammal ... Intervening Petitioner/Defacto Complainant
IN CRL MP(MD).NO.5353 of 2019 in
CRL OP(MD).NO.7857 OF 2019

For Petitioners : M/s.B.Jeyakumar,
Advocate.

For Respondent : Mrs.M.Anantha Devi,
Govt.Advocate (Crl.Side).

For Intervener : MR.A.R.KANNAPPAN, Advocate

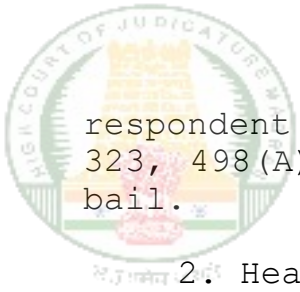
PETITION FOR ANTICIPATORY BAIL Under Sec.438 of Cr.P.C

PRAYER :-

For Anticipatory bail in Cr.No.3 of 2019 on the file of the
respondent police.

ORDER : The Court Made the following order :-
<https://hcservices.ecourts.gov.in/hcservices/>

The petitioners, who apprehend arrest at the hands of the



respondent police for the offences punishable under Sections 294(b), 323, 498(A) and 406 of IPC in Crime No.3 of 2019, seek anticipatory bail.

2. Heard both sides.

3. The learned counsel appearing for the petitioner has submitted that due to family dispute, a false case has been registered against the petitioners. He further submitted that it is purely family dispute. He further submitted that the petitioners are in-laws of the defacto complainant. Hence, he prayed for grant of anticipatory bail to the petitioners.

4. The learned counsel for the intervener has submitted that the petitioners have harassed the defacto complainant and demanded more dowry.

5. The learned Government Advocate (Crl. Side) appearing for the respondent has submitted that the allegation made against the first petitioner is that already he married the fifth petitioner herein. She further submitted that there is specific overt act against the petitioners 1 and 5. She further submitted that investigation is still pending. Thus, she opposed this petition.

6. Recording the submission made by the learned Government Advocate (Crl. Side), this petition is dismissed in respect of the petitioners 1 and 5.

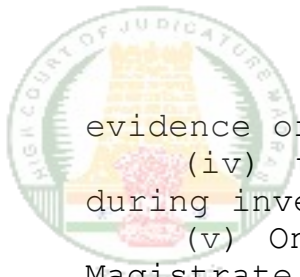
7. Taking into consideration the fact that the petitioners 2 to 4 and 6 are in-laws of the petitioners and there is no specific overt act against the petitioners 2 to 4 and 6, this Court is inclined to grant anticipatory bail to the petitioners by imposing certain conditions.

8. Accordingly, the petitioners 2 to 4 and 6 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 learned Judicial Magistrate, Sankarankovil, Tirunelveli District, on condition that the petitioners 2 to 4 and 6 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 to the Police Officer, who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further condition that:

(i) If the petitioners 2 to 4 and 6 fail to surrender before the concerned Magistrate within a period of 15 days, this order shall stand automatically cancelled.

(ii) the petitioners 2 to 4 and 6 shall report before the respondent police daily at 10.30 a.m for a period of three weeks and thereafter, as and when required before the respondent police for

(iii) the petitioners 2 to 4 and 6 shall not tamper with



evidence or witness either during investigation or trial.

(iv) the petitioners 2 to 4 and 6 shall not abscond either during investigation or trial.

(v) On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioners 2 to 4 and 6 in accordance with law as if the conditions have been imposed and the petitioners 2 to 4 and 6 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].

(vi) If the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

sd/-

24/06/2019

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

TO

1 THE JUDICIAL MAGISTRATE,
SANKARANKOVIL, TIRUNELVELI DISTRICT.

2 DO THRO' THE CHIEF JUDICAIL MAGISTRATE,
TIRUNELVELI DISTRICT

3 THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
SANKARANKOVIL, TIRUNELVELI DISTRICT.

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

+1 CC to Mr.A.R.KANNAPPAN, Advocate (SR-10314[I] dated 24/06/2019)

+1 CC to Mr.B.JEYAKUMAR, Advocate (SR-10396[I] dated 25/06/2019)

ORDER

IN

CRL OP(MD) No.7857 of 2019

Date :24/06/2019

vsg

AE/JC/SAR-IV (28.06.2019) 3P 7C