

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT, MADURAI

(Criminal Jurisdiction)

Date : 25/06/2019

PRESENT

The Hon`ble Mr.Justice P.RAJAMANICKAM

CRL OP(MD) . No.8362 of 2019

1.Sathyasheelan
2.Kanagavalli
3.Gandhimathi

...Petitioners/Accused No.2 to 4

Vs

The State rep.by
The Sub Inspector of Police,
All Women Police Station, Keeranur,
Pudukkottai District.
Crime No.5 of 2019. Respondent/Complainant

For Petitioners : M/s.N.Anandakumar,
Advocate.

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

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

PRAYER :-

For anticipatory bail in cr.no.5 of 2019 on the file of the respondent police.

ORDER : The Court Made the following order :-

The petitioners, who apprehend arrest at the hands of the respondent police for the offence punishable under Sections 294(b), 417, 506(i), 498(A) of IPC and Section 4 of Tamil Nadu Prohibition of Harassment of Women Act, seek anticipatory bail.

2.Heard both sides.

3.The learned counsel appearing for the petitioners has submitted that due to matrimonial dispute between the parties, a false case has been foisted against the petitioners. Hence, he prayed for granting anticipatory bail to the petitioners.

4.The learned Government Advocate (Crl. side) has submitted that A-1 got second marriage with one Vinitha in the month of May 2019 and the other accused persons actively arranged the said marriage and hence, she strongly opposed this petition.

5.Taking into consideration of the fact that the main allegation is only against A-1 and the petitioners herein are only in-laws of the de-facto complainant, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

6.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 learned Judicial Magistrate, Keeranur and 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]If the petitioners fail to surrender before the concerned Magistrate within a period of 15 days, this order shall stand automatically cancelled.

[b]the petitioners 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 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].

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

sd/-
25/06/2019

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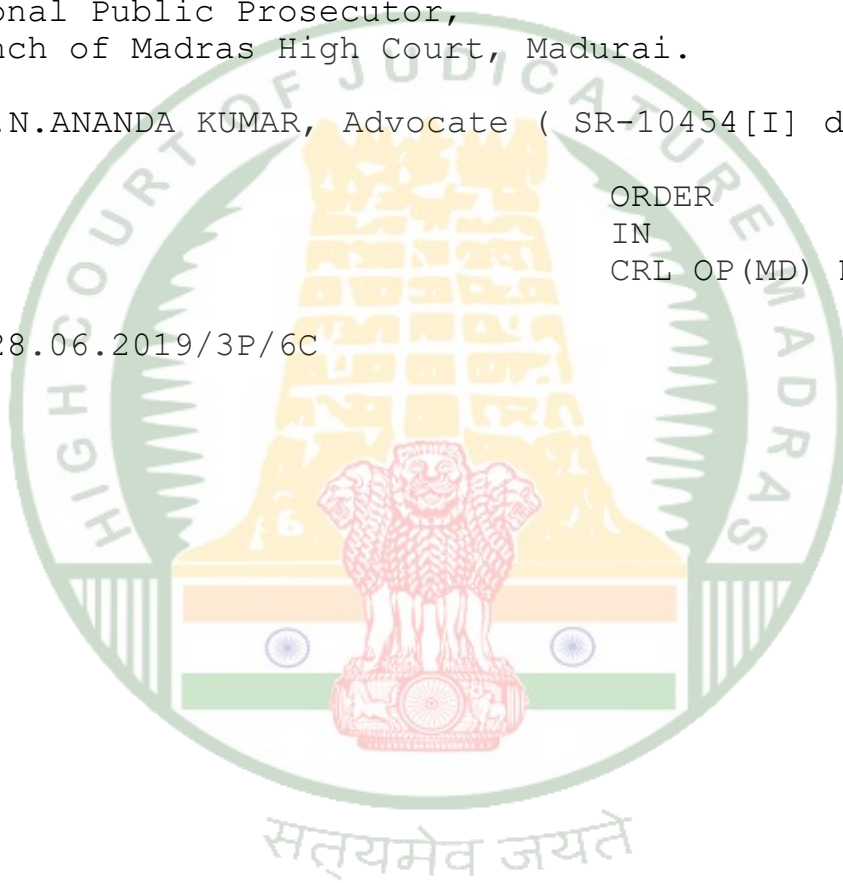
TO

- 1.The Judicial Magistrate, Keeranur.
- 2.Do-Through The Chief Judicial Magistrate,
Pudukottai District.
- 3.The Sub Inspector of Police,
All Women Police Station, Keeranur,
Pudukkottai District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1 CC to M/s.N.ANANDA KUMAR, Advocate (SR-10454[I] dated 25/06/2019)

ORDER
IN
CRL OP (MD) No.8362 of 2019

sjj
TK/PN/SAR.2/28.06.2019/3P/6C



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