

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT, MADURAI

(Criminal Jurisdiction)

Date : 19/06/2019

PRESENT

The Hon`ble Mr.Justice P.RAJAMANICKAM

CRL OP(MD) . No.8548 of 2019

1. Kamatchi
2. Pitchayan
3. Kannaki
4. Kasthuri
5. Thangaponnu
6. Manimegalai
7. Mahendran
8. Abinesh

... Petitioners/A-2 TO A-9

Vs

State through
The Inspector of Police,
All Women Police Station, Paramakudi,
Ramanathapuram District.
Crime No.3 of 2019.

... Respondent/Complainant

For Petitioners : M/s.R.Aravind Raj,
Advocate.

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

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

PRAYER :-

For Anticipatory Bail in Crime No. 3 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 offences punishable under Sections 147, 294(b), 498(A) and 506(ii) IPC, in Crime No.3 of 2019, seek anticipatory bail.

2.The learned counsel appearing for the petitioners has submitted that the petitioners are innocent persons and they have not committed any offence as alleged by the prosecution. Hence, he prayed to grant anticipatory bail to the petitioners.

3.The learned Government Advocate (Criminal Side) appearing for the respondent has submitted that there was a matrimonial dispute between the first accused and the defacto complainant, the petitioners were harassing the defacto complainant and caused cruelty. Hence, she opposed this petition.

4.Taking into consideration of the fact that the main allegation is only against the first accused and the petitioners are in-laws of the defacto complainant, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

5. 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, Mudukulathur, Ramanathapuram District, 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 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 fail to surrender before the concerned Magistrate within a period of 15 days, this order shall stand automatically cancelled.

(ii)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.

(iii)the petitioners shall not tamper with evidence or witness either during investigation or trial.

(iv)the petitioners 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 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].

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

sd/-

19/06/2019

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TO

1.The Judicial Magistrate, Mudukulathur,
Ramanathapuram District.

2.The Chief Judicial Magistrate,
Ramanathapuram District.

3.The Inspector of Police,
All Women Police Station, Paramakudi,
Ramanathapuram District.

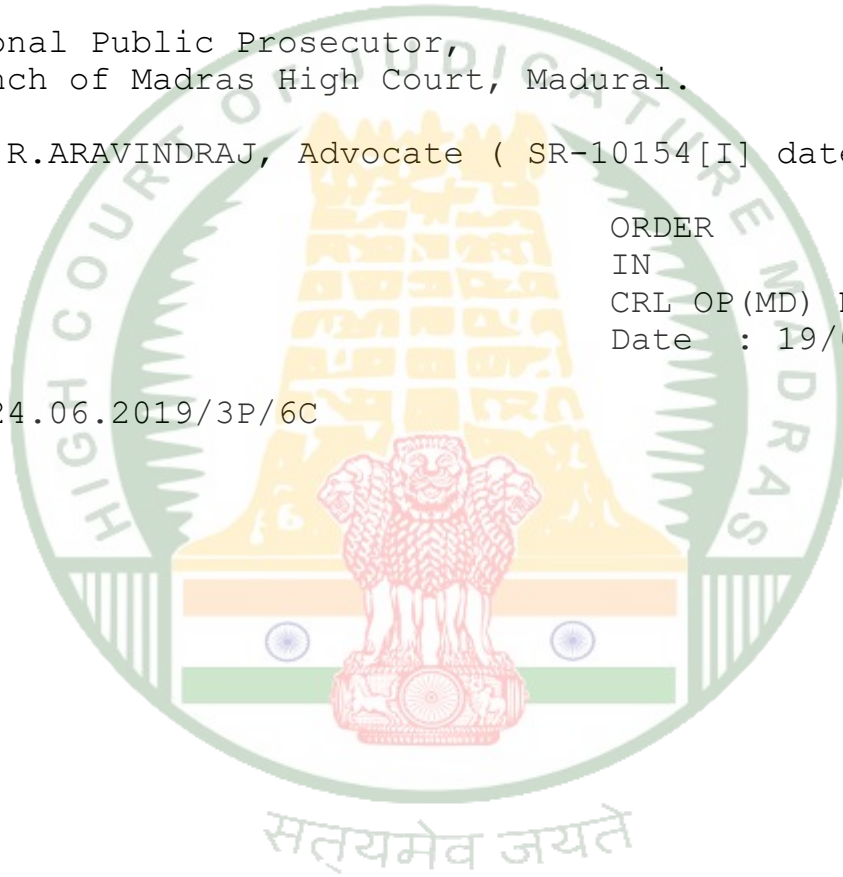
4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1 CC to M/s.R.ARAVINDRAJ, Advocate (SR-10154[I] dated 21/06/2019)

ORDER
IN
CRL OP(MD) No.8548 of 2019
Date : 19/06/2019

das

TK/JC/SAR.3/24.06.2019/3P/6C



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