



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT, MADURAI

(Criminal Jurisdiction)

Date : 01/07/2019

WEB COPY

PRESENT

The Hon`ble Mr.Justice P.RAJAMANICKAM

CRL OP(MD). No.8797 of 2019

1.Mahadevi
2.Marudhamuthu

... Petitioners/Accused
Rank Not Known

Vs

State rep.by
The Inspector of Police,,
All Women Police Station, Kulithalai,
Karur District.
Crime No.6 of 2019

... Respondent/Complainant

For Petitioner : M/s. R. Shankar Ganesh,
Advocate.

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

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

PRAYER :-

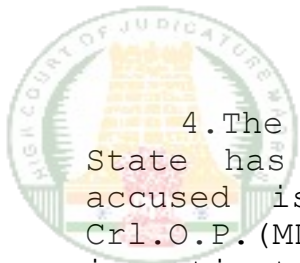
For Anticipatory Bail in Crime No.6 of 2019 on the file of the respondent police.

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 294(b), 498(A) and 494 of IPC in Crime No.6 of 2019, seek anticipatory bail.

2. Heard both sides.

3.The learned counsel appearing for the petitioners has submitted that the first petitioner is mother of A1 and Second petitioner is paternal uncle of A1. He further submitted that the petitioners are in-laws of the defacto complainant. He further submitted that already this Court granted bail to the first accused in Crl.O.P.(MD).No.8281 of 2019. Hence, he prayed for grant of anticipatory bail to the petitioners.



4.The learned Government Advocate (Crl. Side) appearing for the State has submitted that the allegation made against the first accused is that already he married one Ranjitha/petitioner in Crl.O.P.(MD).No.8798 of 2019. She further submitted that the investigation is still pending. Thus, she opposed this petition.

5.Taking into consideration the aforesaid facts that the main allegation is only against the accused No.1, this Court is inclined to grant anticipatory bail to the petitioners by imposing 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 No.1, Kulithalai, Karur 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/-

01/07/2019

/ TRUE COPY /



TO

1.The Judicial Magistrate No.1,
Kulithalai, Karur District.

2.The Chief Judicial Magistrate,
Karur District.

3.The Inspector of Police,,
All Women Police Station, Kulithalai,
Karur District.

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

+1 CC to M/s.R.SHANKAR GANESH, Advocate (SR-10798[I] dated
01/07/2019)

ORDER

IN

CRL OP(MD) No.8797 of 2019

VSG

TK/JC/SAR.3/04.07.2019/3P/6C