



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

Date : 28/08/2019

WEB COPY

PRESENT

**The Hon`ble Mr.Justice P.RAJAMANICKAM**

CRL OP(MD) . No.9490 of 2019

1.K.Rajesh  
2.M.Karuppaiah  
3.K.Ananthammal

... Petitioners/Accused  
Rank Not Known

Vs

The State Rep.by  
The Inspector of Police,  
All Women Police Station,  
Bodinaickanoor, Theni District.  
Crime No.7 of 2019

... Respondent/Complainant

For Petitioners : Mr.M.Ramesh,  
Advocate.

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

For Intervenor : Mr.R.Karunanidhi Advocate

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

PRAYER :-

For Anticipatory bail in Cr.No.7 of 2019 on the file of the respondent police.

**ORDER :** The Court Made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 498(A) and 294(b) of IPC in Crime No.7 of 2019, seeks anticipatory bail.

2.The learned counsel appearing for the petitioner has submitted that during pendency of this petition, the parties have settled the issue and now, the first petitioner is staying with the defacto complainant and therefore, he requested to grant anticipatory bail to the petitioners.



3.The learned counsel for the intervenor/defacto complainant has fairly submitted that now, the matter has been settled and the first petitioner(A-1) is now residing with the defacto complainant.

4.The learned Government Advocate (Crl.Side) appearing for the respondent also admitted that the matter has been settled and the defacto complainant has appeared before the respondent Police and gave a statement stating that the matter has been settled.

5.Considering the aforesaid facts, this Court is inclined to grant anticipatory bail to the petitioner by imposing certain conditions.

5.Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate, Bodinaickannur, Theni District on condition that the petitioner 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:

[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 for the 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/-  
28/08/2019

/ TRUE COPY /

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



TO

1. THE JUDICIAL MAGISTRATE,  
BODINAICKANNUR, THENI DISTRICT.

2. THE CHIEF JUDICIAL MAGISTRATE,  
THENI DISTRICT.

3. THE INSPECTOR OF POLICE,  
ALL WOMEN POLICE STATION,  
BODINAICKANOOR, THENI DISTRICT.

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

+1. CC to Mr.M.RAMESH Advocate SR.No.14321

+1. CC to Mr.R.KARUNANIDHI Advocate SR.No.14265

ORDER

IN

CRL OP(MD) No.9490 of 2019

Date :28/08/2019

TK/JC/SAR.2/12.09.2019/3P/7C