



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

Monday, the Twenty First day of January Two Thousand Nineteen

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PRESENT

The Hon`ble Mr.Justice M.NIRMAL KUMAR

CRL OP(MD) No.22484 of 2018

1 K. HARI RAM,

2 H. VIJAYA,

... PETITIONER / ACCUSED (RANK NOT KNOWN)

Vs

THE STATE REPRESENTED BY
THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
SIVAKASI, VIRUDHUNAGAR DISTRICT.
CR.NO.6 OF 2018.

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.A.THIRUVADI KUMAR Advocate

For Respondent : Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

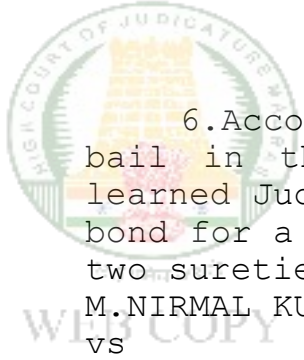
The petitioners/Accused, apprehending arrest at the hands of the respondent police for the offence punishable under Sections 323, 406, 498(A) and 506(i) I.P.C in Crime No.6 of 2018, seeks anticipatory bail.

2.The case of the prosecution is that the petitioners along with other accused harassed the defacto complainant and demanded more dowry.

3.The learned counsel for the petitioners submits that the petitioners are innocent and they had nothing with the alleged crime. He further submits that co-accused have already been granted anticipatory bail by this Court vide Crl.O.P.(MD).No.149 of 2019, dated 07.01.2019. Hence, anticipatory bail may be granted to these petitioners.

4.The learned Government Advocate (Crl.Side) appearing for the respondent would submit that in this case, co-accused have already been granted anticipatory bail by this Court and investigation is going on.

5.Considering the facts and circumstances of the case and also considering the fact that co-accused have already been granted anticipatory bail by this Court, 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 before the learned Judicial Magistrate, No.I, Sivakasi and on their executing 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 M.NIRMAL KUMAR, J.

vs

learned Magistrate concerned and on further condition that

[a] if the petitioners failed to surrender before the said Magistrate within a period of fifteen days, this Order shall stand automatically cancelled.

[b] the petitioners shall report before the respondent Police as and when required 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 abscond, a fresh FIR can be registered under Section 229-A IPC.

sd/-

21/01/2019

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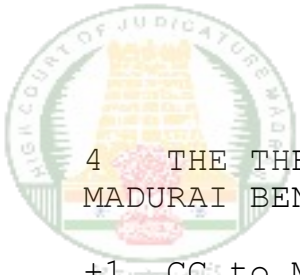
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

1 THE JUDICIAL MAGISTRATE
NO.1, SIVAKASI.

2 THROUGH:
THE CHIEF JUDICIAL MAGISTRATE, SIVAKASI.

3 THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION, SIVAKASI,
VIRUDHUNAGAR DISTRICT



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

+1...CC to M/S.A.THIRUVADI KUMAR Advocate SR.No.982

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ORDER

IN

CRL OP (MD) No.22484 of 2018

Date :21/01/2019

TR/PN/SAR-IV (24.01.2019) 6C 3P