



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

Date : 18/09/2019

PRESENT

The Hon`ble Mr.Justice G.R.SWAMINATHAN

CRL OP(MD) . No.12744 of 2019

1.P.Therasal Punitha ... Petitioner/Accused No.2

2.S.Soosai Rani ... Petitioner/Accused No.3

Vs

The State rep.by,
The Inspector of Police,
All Women Police Station,
Karaikudi,
Sivagangai District
(Crime No.17 of 2019).

... Respondent/Complainant

For Petitioners : Mr.J.Sulthan Basha for M/s.Ajmal Associates,
Advocate.

For Respondent : Mr.A.Robinson, Government Advocate (Crl.Side)

For Intervener : Mr.S.Ramasamy, Advocate

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

PRAYER :-

For Anticipatory Bail in Crime No.17 of 2019 on the file of the
Respondent Police

ORDER : The Court made the following order :-

Heard the learned counsel appearing for the petitioner, the
learned counsel appearing for the intervener and the learned
Government Advocate (Crl. Side).

2.The defacto complainant has lodged information on the file of
All Women Police Station, Karaikudi against her husband/Prabhakaran
and the petitioners herein, leading to registration of Crime No.17
of 2019 for the offences under Sections 498(A), 406, 294(b) and 506
(i) of I.P.C.



3.The case of the defacto complainant is that she got married to the first accused/Prabhakaran in the year 2009 and that they are having three children. The first accused is eking out his livelihood as an auto driver. While so, the first petitioner herein namely., Therasal Punitha developed illicit intimacy with the first accused. As a result A1 ditched the defacto complainant. The specific allegation of the defacto complainant is that her jewellery amounting to some 22 ½ sovereigns is now in the custody of the first petitioner herein.

4.Apprehending arrest, A2 and A3 have filed this petition for anticipatory bail. A3 is none other than the mother of A2. No serious allegations have been made against A3/second petitioner herein.

5.This Court directed the respondent to file a status report. The said status report is not in favour of the first petitioner herein. Since the jewellery interested to the first petitioner will have to be recovered, I am of the view that the first petitioner is not entitled to anticipatory bail. Anticipatory bail is granted to the second petitioner/S.Soosai Rani alone.

6.In the view of the above, I am inclined to grant anticipatory bail to the second petitioner with certain conditions. Accordingly, second petitioner is ordered to be released on bail in the event of arrest or on her appearance before the learned Judicial Magistrate Court, Karaikudi, and on her executing a bond for a sum of Rs.10,000/- (Rupees Ten thousand only) with two sureties each for a like sum to the satisfaction of the learned Magistrate concerned and on further condition that the second petitioner shall appear before the respondent police as and when required for interrogation. The second petitioner shall comply with the conditions stipulated under Section 438 Cr.P.C scrupulously.

7.The second petitioner shall appear before the concerned Magistrate within a period of 15 days from the date on which the order copy made ready, failing which, the petition for anticipatory bail shall stand dismissed.

sd/-
18/09/2019

/ TRUE COPY /

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



TO

1. THE JUDICIAL MAGISTRATE, KARAIKUDI

2. DO-THROUGH : THE CHIEF JUDICIAL MAGISTRATE,
SIVAGANGAI DISTRICT.

3. THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION,
KARAIKUDI, SIVAGANGAI DISTRICT.

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

+1. CC to M/S.AJMAL ASSOCIATES, Advocate SR.No.87891(F)

+1. CC to M/S.S.RAMASAMY, Advocate SR.No.15709

ORDER

IN

CRL OP(MD) No.12744 of 2019

Date : 18/09/2019

IAS

PK/JC/SAR-2/23.09.2019 : 3P/7C