



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 19/02/2020

PRESENT

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

CRL OP(MD) . No.2910 of 2020

1. Nagarajan
2. Karthika

... Petitioners/Accused 1 & 4

Vs

The State rep.by
The Inspector of Police,
Devipattinam Police Station, Ramanathapuram District.
Cr.No.33/2020.

... Respondent/Complainant

For Petitioners : M/s.R.Murugan,
Advocate.

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

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

PRAYER :-

for Anticipatory bail in Crime No.33 of 2020 on the file of the
respondent police.

ORDER : The Court made the following order :-

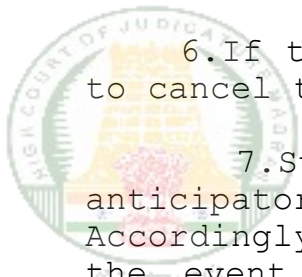
Heard the learned counsel appearing for the petitioners and the
learned Government Advocate(Crl. Side) appearing for the respondent.

2. The petitioners apprehending arrest at the hands of the
respondent police for the offences punishable under sections 294(b),
323, 324 and 506(ii) of I.P.C., and Section 4 of Tamil Nadu
Prohibition of Harassment of Women Act, 2002, in Crime No.33 of 2020
on the file of the respondent police, seek anticipatory bail.

3. The first petitioner is said to have hit the victim with
wooden stick causing a head injury. She was in hospital for about
three days.

4. The petitioners undertake to take a demand draft favouring
the victim for a sum of Rs.5,000/- and enclose the same along with
the surrender petition. The first petitioner shall also file an
affidavit of undertaking to keep away from the matrimonial dispute.

5.The Court below shall hand over the demand draft through the
respondent Police to the victim directly. This will be a non
refundable payment and this will be without prejudice to the
petitioners' defence.



6.If this undertaking is breached, this Court will not hesitate to cancel this order and commit them to custody.

7.Subject to these two conditions, I am inclined to grant anticipatory bail to the petitioners with certain conditions. 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.II, Special Mahila Court, Ramanathapuram, and on their executing a bond for a sum of Rs.10,000/- (Rupees Ten thousand only)each with two common sureties each for a like sum to the satisfaction of the learned Magistrate concerned and on further condition that the petitioners shall appear before the respondent police as and when required for interrogation. The petitioners shall comply with the conditions stipulated under Section 438 Cr.P.C scrupulously.

8. The petitioners 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/-
19/02/2020

/ TRUE COPY /

/ /2020
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

1 THE JUDICIAL MAGISTRATE NO.II,
SPECIAL MAHILA COURT, RAMANATHAPURAM.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
RAMANATHAPURAM DISTRICT.

3 THE INSPECTOR OF POLICE,
DEVIPATTINAM POLICE STATION, RAMANATHAPURAM DISTRICT.

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

+1 CC to M/s.R.MURUGAN, Advocate (SR-3501[I] dated 19/02/2020)

ORDER
IN
CRL OP(MD) No.2910 of 2020
Date :19/02/2020