



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 21/02/2020

WEB COPY

PRESENT

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

CRL OP(MD) . No.3125 of 2020

Sumitha @ Smitha

... Petitioner/Accused-3

Vs

State Rep.by
The Deputy Superintendent Of Police,
Marthandam Division, Nagercoil,
(Crime No.372/2018)
Marthandam Police Station,
Kanyakumari District.

... Respondent/Complainant

For Petitioner : M/s.T.Jeen Joseph,
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.372 of 2018 on the file of the respondent police.

ORDER : The Court made the following order :-

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

2. The petitioner apprehending arrest at the hands of the respondent police for the offences under sections 457(ii) and 380 (ii) of I.P.C., in Crime No.372 of 2018 on the file of the respondent police, seeks anticipatory bail.

3. The main accused has been granted bail by this Court vide order dated 10.02.2020 in Crl.O.P.(MD)No.2288 of 2020.

4. The petitioner's counsel on instructions states that the petitioner will appear before the respondent police daily 10.00 a.m., till the trial is over. He gives a further undertaking that



the petitioner will not apply for relaxation or modification of the said condition and will attend all the future hearings scrupulously before the Court below. Of course the petitioner need not appear before the respondent police on the hearing dates.

4. Recording the said undertakings, I am inclined to grant anticipatory bail to the petitioner with certain conditions. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on her appearance before the learned Judicial Magistrate No.I, Kuzhithurai, 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 petitioner shall appear before the respondent police daily 10.00 a.m., till the trial is over as and when required for interrogation. Of course the petitioner need not appear before the respondent police on the hearing dates. The petitioner shall comply with the conditions stipulated under Section 438 Cr.P.C scrupulously.

5. The 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/-
21/02/2020

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

TO

1. THE JUDICIAL MAGISTRATE NO.I, KUZHITHURAI.
2. DO-THROUGH THE CHIEF JUDICIAL MAGISTRATE,
KANYAKUMARI DISTRICT AT NAGERCOIL.
3. THE DEPUTY SUPERINTENDENT OF POLICE,
MARTHANDAM DIVISION, NAGERCOIL,
MARTHANDAM POLICE STATION, KANYAKUMARI DISTRICT.
4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.T.JEEN JOSEPH, Advocate (SR-3710[I] dated 21/02/2020)

ORDER IN
CRL OP(MD) No.3125 of 2020
Date :21/02/2020