



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 12/03/2020

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PRESENT

The Hon`ble Dr.Justice G.JAYACHANDRAN

CRL OP(MD) . No.4452 of 2020

1. Udaiyar
2. Mohamed Idiris
3. Gandhi
4. Solai Pandi
5. Soora Lingam

... Petitioners/Accused No.2,4,5,7 & 9

Vs

State Rep.by
The Inspector of Police,
Valinokkam Police Station,
Ramanathapuram District.
(Crime No.8 of 2020).

... Respondent/Complainant

For Petitioners : M/s.M.S.Jeyakarthik,
Advocate.

For Respondent : Mr.K.Suyambulinga Bharathi,
Government Advocate (Crl.Side)

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

PRAYER :-

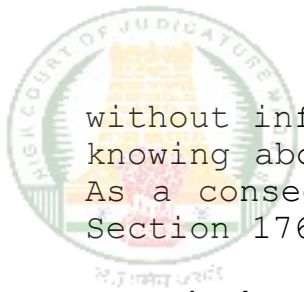
For Anticipatory Bail in Crime No.8 of 2020 on the file of the Respondent Police.

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 176 IPC altered into 176, 306 & 201 IPC in Crime No.8 of 2020 on the file of the respondent police, seek anticipatory bail.

3.One Veeralakshmi married to A1 in the year 2011. She had committed suicide on 01.02.2020. Her husband and villagers have not informed the police of her natural death to the police, but has buried her body



without informing to the police. The Village Administrative Officer knowing about this, has given a complaint to the respondent police. As a consequence, a case has been registered for the offence under Section 176 I.P.C., altered into Sections 176, 306 & 201 IPC.

4.The petitioners before this Court are the villagers. The husband of the deceased already been arrested and granted bail by the trial Court. In such a case, granting of anticipatory bail will no way hamper the investigation.

5.In the view of the above, 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, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate, Kadaladi, on condition that the petitioners shall execute a bond for a sum of Rs.25,000/- (Rupees Twenty Five 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)the petitioners and the sureties shall affix their photograph and left thumb impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

(b)the petitioners shall report before the respondent police as and when required;

(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 petitioner 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]***; and;

(f)if the accused thereafter abscond, a fresh FIR can be registered under Section 229-A IPC.

sd/-
12/03/2020

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



TO

1. THE JUDICIAL MAGISTRATE, KADALADI.

2. DO-THROUGH THE CHIEF JUDICIAL MAGISTRATE,
RAMANATHAPURAM DISTRICT.

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

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

+1 CC to M/s.M.S.JEYAKARTHIK, Advocate (SR-5188[I] dated 12/03/2020
)

ORDER

IN

CRL OP(MD) No.4452 of 2020

Date :12/03/2020

MS/PN/SAR-3/18.03.2020/3P.6C