



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

Date : 17/03/2020

WEB COPY

PRESENT

The Hon'ble Dr.Justice G.JAYACHANDRAN

CRL OP(MD) . No.4710 of 2020

1. Umarani  
2. K.Valarmathi

... Petitioners/Accused No.1 & 3

Vs

The State rep. by  
The Inspector of Police,  
Mamsapuram Police Station,  
Virudhunagar District  
(Crime No.52/2020)

... Respondent/Complainant

For Petitioners : M/s.D.Anbarasu,  
Advocate.

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

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

PRAYER :-

for Anticipatory bail in Crime No.52 of 2020 on the file of the  
respondent police

**ORDER :** The Court made the following order :-

The petitioners, who apprehend arrest at the hands of the  
respondent police for the offences punishable under Sections 294(b),  
323, 506(ii) of IPC r/w.Section 4 of TNPHW Act seek anticipatory  
bail.

2. It is case and counter wherein these petitioners are arrayed  
as A1 and A3, who attacked the defacto complainant on her stomach.  
Since she had already undergone surgery for other ailments this  
attack has caused severe pain .

3. Considering the gender of the petitioners and nature of the  
complaint, this Court is inclined to grant anticipatory bail to the  
petitioners with certain conditions.



4. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or their appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate No.II, Srivilliputhur, Virudhunagar District on condition that the petitioners shall execute a bond for a sum of Rs.50,000/- (Rupees Fifty 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 photographs 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 learned Judicial Magistrate No.II, Srivilliputhur, Virudhunagar District daily at 10.30 a.m., until further orders;

(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]**; and;

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

sd/-  
17/03/2020

/ TRUE COPY /

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



TO

1. THE JUDICIAL MAGISTRATE NO.II,  
SRIVILLIPUTHUR,  
VIRUDHUNAGAR.
2. DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,  
VIRUDHUNAGAR.
3. THE INSPECTOR OF POLICE,  
MAMSAPURAM POLICE STATION,  
VIRUDHUNAGAR DISTRICT.
4. THE ADDITIONAL PUBLIC PROSECUTOR,  
MADURAI BENCH OF MADRAS HIGH COURT,  
MADURAI.

+1 CC to M/s.D.ANBARASU, Advocate ( SR-5536[I] dated 19/03/2020 )

ORDER

IN

CRL OP(MD) No.4710 of 2020

Date :17/03/2020

AAV

SRS/ JC/ SAR-I/ 20.03.2020/ 3P/6C