



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

Date : 04/06/2020

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PRESENT

The Hon'ble Dr.Justice G.JAYACHANDRAN

CRL OP(MD) . No.5251 of 2020

1. Ganesan
2. Balamurugan

... Petitioners/Accused No.3&6

Vs

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

... Respondent/Complainant

For Petitioners : Mr.M.S.Jeyakarthik,
Advocate.

For Respondent : Mr.R.Anandharaj,
Additional Public Prosecutor

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 Additional Public Prosecutor appearing for the respondent.

2.The petitioners are apprehending arrest at the hands of the respondent Police for the offences punishable under Section 176 of IPC @ under Sections 176, 306 and 201 of IPC in Crime No.8 of 2020 on the file of the respondent Police, seeks anticipatory bail.



3.The overt act alleged against the petitioners is that one Veeralakshmi, aged about 27 years, committed suicide due to instigation of her husband and in-laws. Suppressing the unnatural death, these petitioners assisted the main accused to bury the deceased Veeralakshmi without intimating the fact to the authorities.

4. The learned counsel appearing for the petitioners would submit that the first petitioner is the Panchayat President of Thathangudi Village and the second petitioner is the one of the villagers in the said village. The husband of the deceased Veeralakshmi was arrested by the Police. Hence, they seek anticipatory bail.

5.Considering the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

6.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.10,000/- (Rupees Ten Thousand only) each with two sureties, each for a like sum to the satisfaction of the respondent Police or the police officer who intends to arrest or to the satisfaction of the said Magistrate, on further condition that:

[a] the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate/concerned court 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 for interrogation.

[c] the petitioners shall not abscond either during investigation or trial.

[d] the petitioners shall not tamper with evidence or witness 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 petitioner 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].



[f]If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

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

Note:

In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the Advocate/litigant concerned.

TO

1. THE JUDICIAL MAGISTRATE,
KADALADI, RAMANATHAPURAM DISTRICT.
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.

ORDER
IN
CRL OP(MD) No.5251 of 2020
Date :04/06/2020

RMK
TE/VR/SAR-III : 05/06/2020 : 3P/5C