



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 27/05/2020

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PRESENT

The Hon`ble Dr.Justice G.JAYACHANDRAN

CRL OP(MD) . No.5476 of 2020

1. M.Seenivasagam,
2. S.Veeralakshmi,
3. S.Manikandan @ Jeyabalan,
4. Dr.Muneeswaran,
5. V.Ramakrishnan,
6. Manoharan,

... Petitioners/Accused Nos.1 to 6

Vs

State rep.by its
The Sub Inspector of Police,
Virudhunagar (Rural)police Station,
Virudhunagar District.
(Crime No.112 of 2020)

... Respondent/Complainant

For Petitioner : M/s.J.Ashok,
Advocate.

For Respondent : Mr.S.Chandrasekar,
Additional Public Prosecutor

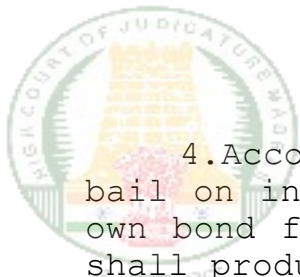
PETITION FOR ANTICIPATORY BAIL Under Sec.438 of Cr.P.C

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.Due to matrimonial discard, the family quarrel has crept on 26.03.2020 which has led to lodging of complaint against this petitioners for the offences under Sections 147, 323 and 506(i) of IPC.

3.Taking note of the fact that during the lock down, the petitioners and the de-facto complainant were not able to sort out the domestic issue of taking back, the daughter of the de-facto complainant to the matrimonial home after giving birth to child. Hence, 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 on in the event of arrest by respondent police on executing a own bond for a sum of Rs.10,000/- each and further the petitioners shall produce two sureties each for a sum of Rs.10,000/- (Rupees Ten Thousand only) before the learned Judicial Magistrate Court No.II, Virudhunagar, within one month and on further condition that:

(i) the petitioners and 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;

(ii) the petitioners shall report before the respondent police as and when required for interrogation.

iii) the petitioners shall not tamper with evidence or witness.

iv) the petitioners shall not abscond during trial.

v) 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].

vi) If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

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

TO

1. THE JUDICIAL MAGISTRATE NO.II,
VIRUDHUNAGAR.
2. DO-THROUGH :THE CHIEF JUDICIAL MAGISTRATE,
VIRUDHUNAGAR AT SRIVILLIPUTHUR.
3. THE SUB INSPECTOR OF POLICE
VIRUDHUNAGAR (RURAL) POLICE STATION,
VIRUDHUNAGAR DISTRICT.



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

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ORDER

IN

CRL OP (MD) No.5476 of 2020

Date :27/05/2020

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AE/PN/SAR-III (28.05.2020) 3P 5C