



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

Date : 19/06/2020

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL.OP(MD).No.6418 of 2020

1.P.MURUGESAN
2.M.DURAIPANDI
3.T.RAMARAJ
4.K.KARUPPASAMY
5.S.RADHAKRISHNAN
6.R.ARASUKUMAR

... PETITIONERS/ACCUSED NO.2 TO 7

VS

STATE REP. BY
THE INSPECTOR OF POLICE,
SANKARALINGAPURAM POLICE STATION,
THOOTHUKUDI DISTRICT.
(CRIME NO. 36 OF 2020).

... RESPONDENT/COMPLAINANT

For Petitioner : Mr.C.Gangai Amaran,
Advocate.

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

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

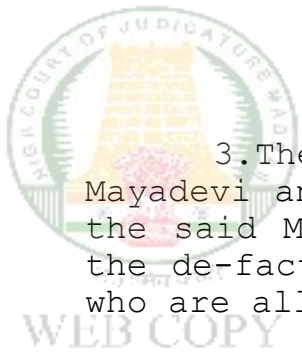
PRAYER :-

For Anticipatory Bail in Crime No. 36 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 and
306 IPC, in Crime No.36 of 2020, on the file of the respondent
police, seek anticipatory bail.



3.The case of the prosecution is that A1 has married one Mayadevi and due to some wordy quarrel between the A1 and his wife, the said Mayadevi committed suicide and on conducting the enquiry, the de-facto complainant made complaint against A1 and petitioners, who are all family members of A1, before the respondent police.

4.The learned counsel appearing for the petitioners would submit that the petitioners are innocent and they have not committed any offence, as alleged by the prosecution. The learned Counsel appearing for the petitioners would also submit that the petitioners and A1 have falsely implicated in this case.

5. The learned Government Advocate (crl.side) appearing for the State, on instructions, would submit that due to the family dispute, A1 and the petitioners have prevented the victim from attending her sister's marriage and due to which, the victim has committed suicide by jumping into a well. He would further submit that there is no previous case is pending against the petitioners.

6. Considering the facts and circumstances of the case, I am inclined to grant anticipatory bail to the petitioners with certain conditions.

(i)Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance before the learned Judicial Magistrate, Vilathikulam, Thoothukudi District and on their 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;

(ii) The petitioners shall appear before the respondent police daily at 05.00 p.m for a period of two weeks and thereafter as and when required, for the purpose of interrogation.

(iii)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 themselves as laid down by the Hon'ble Supreme Court in **P.K.Shaji Vs. State of Kerala [(2005) AIR SCW 5560]**; and

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

7.The petitioners 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.



8.The petitioners shall comply with the conditions stipulated under Section 438 Cr.P.C scrupulously.

sd/-

19/06/2020

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

TO

- 1 THE JUDICIAL MAGISTRATE,
VILATHIKULAM, THOOTHUKUDI DISTRICT.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
THOOTHUKUDI DISTRICT.
- 3 THE INSPECTOR OF POLICE
SANKARALINGAPURAM POLICE STATION,
THOOTHUKUDI DISTRICT
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER

IN

CRL OP(MD) No.6418 of 2020

Date :19/06/2020

CMR

JM/RSK/SAR 3/24.06.2020/3P/5C