



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

Date : 08/09/2020

PRESENT

The Hon`ble Mr.Justice V.BHARATHIDASAN

CRL OP(MD) . No.7005 of 2019

Jothi Rajendran

... Petitioner/Accused No.2

Vs

The Inspector of Police,,
All Women Police Station,
Sri Rangam, Trichy City..
In Crime No.11 of 2019

... Respondent/Complainant

For Petitioner : Mr.Babu Rajendran,
Advocate.

For Intervenor : M/s. B.Jameel Arasu, 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. 11 of 2019 on the file of
the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/A2, who apprehend arrest at the hands of the
respondent police for the offences punishable under Sections 498(A),
406 and 506(i) of IPC, seeks anticipatory bail.

2. Heard both sides.

3.The petitioner herein is the mother of A1 and mother -in-law
of the defacto complainant.

4. Today, when the matter is taken up for hearing the learned
counsel for the petitioner and the intervenor submitted that matter
has been settled between the parties in view of the order passed by
the Honourable Supreme Court in Special Leave to Appeal (Crl.) No.



4930 of 2019 dated 13.08.2020 desolving the marriage between A1 and the defacto complainant and ordered not to take A1 into custody.

5. Taking into consideration the facts and circumstances of the case and also taking into consideration the order passed by the Honourable Supreme Court, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

6. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or his appearance, within a period of four weeks from the date of receipt of a copy of this order, before the Additional Mahila Court (Magistrate Level), Trichy on condition that the petitioner shall execute a bond for a sum of Rs.20,000/- (Rupees Twenty thousand only) 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 petitioner 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 petitioner shall report before the respondent police as and when required for interrogation.

(c) the petitioner shall not tamper with evidence or witness either during investigation or trial;

(d) the petitioner 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 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]***; and;

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

sd/-
08/09/2020

/ TRUE COPY /

/ /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 ADDITIONAL MAHILA JUDGE, (MAGISTRATE LEVEL),
TRICHY
- 2.DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
TRICHY.
- 3.THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
SRI RANGAM, TRICHY CITY.
- 4.THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

+1. CC to M/S.BABU RAJENDRAN Advocate SR.No.6317

ORDER
IN
CRL OP(MD) No.7005 of 2019
Date :08/09/2020

AAV
PK/PN/SAR-4/10.09.2020 : 3P/6C