



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

Date : 07/08/2020

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PRESENT

The Hon`ble Mr.Justice V.BHARATHIDASAN

CRL OP(MD) . No.8366 of 2020

1.Venkatraman
2.Ramalakshmi
3.Kanagaraj
4.Sureshkumar

... Petitioners/Accused
Nos.1,2,3 and 6

Vs

The State rep.by
The Inspector of Police,
Sipcot Police Station,
Thoothukudi District.
Crime No. 502 of 2020.

... Respondent/Complainant

For Petitioners : Mr.S.Ravi,
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 Cr.No.502 of 2020 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioners who are arrayed as accused Nos.1,2,3 & 6 apprehending arrest at the hands of the respondent police for the offences punishable under sections 147, 341, 294(b), 506(ii) and 307 of IPC, in Crime No.502 of 2020 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that A-1 & A-2 are the in-laws of the defacto complainant and their daughter has given marriage to the defacto complainant, one year from the date of marriage, the A-1 & A-2's daughter has committed suicide and the same was questioned by them, there was a wordy quarrel arose between them. The petitioners said to have assaulted the defacto complainant and his father and caused injuries. Hence, the complaint.



3. Heard the learned counsel appearing for the petitioners and the learned Government Advocate (Crl. Side) appearing for the respondent.

4. The learned counsel appearing for the petitioners submitted that the petitioners are innocent persons and they have been falsely implicated in this case. Hence, he seek anticipatory bail.

5. The learned Government Advocate (Crl. Side), on instructions, submitted that the defacto complainant has already been discharged from the hospital and his father is taking treatment.

6. Taking note of the fact that, A-1 & A-2's daughter has committed suicide and the same was questioned by them and due to which the petitioners said to have quarreled with the defacto complainant and his father and also considering the fact that the the defacto complainant has already been discharged from the hospital and his father is taking treatment, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

7. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or their appearance, within a period of four weeks from the date of receipt of a copy of this order, before the learned Judicial Magistrate No.III, Tuticorin, on condition that the petitioners shall execute a bond for a sum of Rs.25,000/- (Rupees Twenty Five 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 respondent police as and when required for interrogation.

(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 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/petitioners thereafter abscond, a fresh FIR can be registered under Section 229-A IPC.

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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 NO III, TUTICORIN.
- 2.THE CHIEF JUDICIAL MAGISTRATE,
TUTICORIN DISTRICT.
- 3.THE INSPECTOR OF POLICE,
SIPCOT POLICE STATION,
THOOTHUKUDI DISTRICT.
- 4.THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
CRL OP(MD) No.8366 of 2020
Date :07/08/2020

KSA
TK/JC/SAR.2/17.08.2020/3P/5C