



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

Date : 05/11/2020

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PRESENT

The Hon`ble Mr.Justice G.K.ILANTHIRAIYAN

CRL OP(MD). No.12493 of 2020

1. Ramayee
2. Jeyalakshmi
3. Adaikalam
4. Kumar

... Petitioners/Accused Nos.2 to 5

Vs

State Rep. by
The Inspector of Police,
All Women Police Station, Melur,
Madurai District.
in Crime No.7 of 2019.

... Respondent/Complainant

For Petitioners : Mr.A.Saravanan,
Advocate.

For Respondent : Mrs.M.Anantha Devi,
Government Advocate (Crl.Side)

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

PRAYER :- For Anticipatory Bail in Crime No.7 of 2019 on the file of the Respondent Police

ORDER : The Court made the following order :-

The petitioners, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 498(A), 294(b), 406, 506(ii) of IPC and Section 4 of Tamilnadu Prohibition of Harassment of Women Act, 2002, in Crime No.7 of 2019 seek anticipatory bail.

2. Heard both sides.

3. The learned counsel for the petitioners would submit that the petitioners are innocent persons and they have been falsely implicated in this case. He would also submit that the petitioners were already granted anticipatory bail and was not able to comply



5. The learned Government Advocate(Crl.Side) submitted that the investigation has been completed and filed a final report before the Judicial Magistrate, Melur, Madurai District and the same was taken on file as C.C.No158 of 2020, which is pending. She would also submit that this is the second anticipatory bail petition and already this Court granted anticipatory bail to the petitioners and the condition imposed by this Court was not complied by the petitioners.

6.Taking into consideration the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioner 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 fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate, Melur, Madurai District on condition that the petitioners shall execute 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 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 Judicial Magistrate, Melur, Madurai District on all hearing dates without fail.

(c) the petitioners shall not tamper with evidence or witness;

(d)the petitioners shall not abscond;

(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 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/-

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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.

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- TO
- 1 THE JUDICIAL MAGISTRATE,
MELUR, MADURAI DISTRICT.
 - 2 DO-THROUGH THE CHIEF JUDICIAL MAGISTRATE,
MADURAI.
 - 3 THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
MELUR, MADURAI DISTRICT.
 - 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- +2 CC to M/s.A.SARAVANAN, Advocate (SR-7315[I] dated 05/11/2020)

ORDER
IN
CRL OP(MD) No.12493 of 2020
Date :05/11/2020

LS
JM/PN/SAR IV/19.11.2020/3P/7C