



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 09/11/2020

WEB COPY

PRESENT

The Hon'ble Mr. Justice S.M.SUBRAMANIAM

CRL OP(MD).No.12600 of 2020

1.Mathankumar
2.Mariamammal
3.Ranjithkumar
4.Balamurugan
5.Ruba

... Petitioners/Accused 1to5

Vs

The State rep. by
The Inspector of Police,
All Woman Police Station,
Thilagar Thidal, Madurai.
(Crime No.30 of 2020)

... Respondent/Complainant

For Petitioners: Mr.A.Chandra kumar,
Advocate.

For Respondent : Ms.M.Ananthadevi,
Government Advocate (Criminal Side)

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

PRAYER :-

For Anticipatory Bail in Crime No.30 of 2020 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioners, who are arrayed as A1 to A5, apprehending arrest at the hands of the respondent police for the offences punishable under sections 498(A), 294(b), 406 & 506(i) IPC, in Crime No.30 of 2020 on the file of the respondent police, seek anticipatory bail.

2.The defacto complainant lodged a complaint after filing a petition for dissolution of marriage. The marriage between the first petitioner and the defacto complainant was solemnized on 11.03.2016 nearly 4 ½ years was completed. Under these circumstances, the defacto complainant filed a complaint against her husband/first petitioner and against other in-laws.



3.This being the factum brought to the notice of this Court, the petitioners are enlarged on anticipatory bail.

4.Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance before the Additional Mahila Court (JM Level), Madurai, and on their executing a bond for a sum of Rs.10,000/- (Rupees Ten thousand only) each with two sureties each for a like sum 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 daily morning at 10.00 a.m., without fail, for a period of Two Weeks and thereafter as on 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 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/petitioners thereafter abscond, a fresh FIR can be registered under Section 229-A IPC.

sd/-
09/11/2020

/ 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



TO

1. THE ADDITIONAL MAHILA COURT
(JUDICIAL MAGISTRATE LEVEL),
MADURAI.
2. -DO- THOROUGH: THE CHIEF JUDICIAL MAGISTRATE,
MADURAI DISTRICT.
3. THE INSPECTOR OF POLICE,
ALL WOMAN POLICE STATION,
THILAGAR THIDAL,
MADURAI.
4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER

IN

CRL OP(MD) No.12600 of 2020

Date :09/11/2020

IAS/VSD

SRS/JC/SAR-IV/11.11.2020/3P/5C