



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

Date : 11/11/2020

PRESENT

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

CRL OP(MD). No.12864 of 2020

1. Reetta,
W/o. Indrakumar,
Mentioned in FIR as Reeta W/o. Rosa,
No.14, Srilankan Refugees Camp, Uchapatti,
Kappalur, Thirumangalam Taluk, Madurai-625 008.
2. Sumathi,
W/o. Backiyaraj,
Mentioned in FIR as Sumathi W/o. Sugathan,
No.288, Srilankan Refugees Camp, Uchapatti,
Kappalur, Thirumangalam Taluk, Madurai-625 008.
3. Kala,
W/o. Jeevanantham,
Mentioned in FIR as Kala W/o. Viji,
No.289, Srilankan Refugees Camp, Uchapatti,
Kappalur, Thirumangalam Taluk, Madurai-625 008.
4. Maristella,
W/o. Dharmaraja,
Mentioned in FIR as Diyanee W/o. Raja,
No.239, Srilankan Refugees Camp, Uchapatti,
Kappalur, Thirumangalam Taluk,
Madurai-625 008. ...Petitioners/Accused No.10-13

Vs

The State rep. by
The Inspector of Police,
Austinpatti Police Station,
Madurai District.
(In Crime No.1785 of 2020).

... Respondent/Complainant

For Petitioners : Mr.M.Vivek Kumar,
Advocate.

For Respondent : Mr.KR.Bharathikannan,
Government Advocate (Criminal Side)



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

PRAYER :-

For Anticipatory Bail in Crime No.1785 of 2020 on the file of the Respondent Police

ORDER : The Court made the following order :-

The petitioners who arrayed accused Nos.10 to 13 apprehending arrest at the hands of the respondent police for the offence punishable under sections 147, 148, 294(b), 323, 324 and 506(ii) IPC and Section 4 of Tamil Nadu Prohibition of Women Harassment Act, 1998 in Crime No.1785 of 2020 on the file of the respondent police, seek anticipatory bail.

2.The co-accused in the same case was already granted anticipatory bail in CrI.O.P(MD).No.12245 of 2020, dated 03.11.2020. Thus, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

3.Accordingly, the petitioners are ordered to be released on bail in the event of arrest or their appearance, within a period of two weeks from the date of receipt of a copy of this order, before the learned Judicial Magistrate, Thirumangalam, Madurai District on condition that the petitioners shall execute 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 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 whenever his presence is 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 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.Shaaji 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/-
11/11/2020

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/ /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 JUDICIAL MAGISTRATE,
THIRUMANGALAM,
MADURAI DISTRICT.
2. -DO-THROUGH : THE CHIEF JUDICIAL MAGISTRATE,
MADURAI DISTRICT.
3. THE INSPECTOR OF POLICE,
AUSTINPATTI POLICE STATION,
MADURAI DISTRICT.
4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER
IN
CRL OP(MD) No.12864 of 2020
Date :11/11/2020

RMK
SRS/AKM/SAR-III/23.11.2020/3P/5C