



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

Date : 23/12/2020

PRESENT

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

CRL OP(MD) . No.15700 of 2020

Prasana

... Petitioner/Accused No.1

Vs

State rep.by,
The Inspector of Police,
All Women Police Station,
Karaikudi, Sivagangai District
Crime No. 18/2020.

... Respondent

For Petitioner : M/s.Balasubramanian.S,
Advocate.

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

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

PRAYER :- For Anticipatory Bail in Crime No. 18/2020 on the file of
the respondent police

ORDER : The Court made the following order :-

The petitioner, who is arrayed as A1, apprehending arrest at
the hands of the respondent police for the offences punishable under
Sections 498(A), 406, 506(i) IPC in Crime No.18 of 2020 on the file
of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner and the
defacto complainant are husband and wife and due to matrimonial
dispute, the case has been registered.

3.The learned counsel appearing for the petitioners submitted
that the petitioner is an innocent person and the allegations
levelled by the defacto complainant are false one.

4.The learned Government Advocate (Crl.Side), appearing for the
respondent police strongly opposed to grant anticipatory bail to the
petitioner.

5.Considering the facts and circumstances of the case, 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 two weeks from the date of receipt of a copy of this order, before the Judicial Magistrate Court, Karaikudi on condition that the petitioner 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 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 daily at 10.00 a.m. without fail, for a period of two weeks and thereafter 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/petitioners thereafter abscond, a fresh FIR can be registered under Section 229-A IPC.

sd/-
23/12/2020

/ TRUE COPY /

/ /2021
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 JUDICIAL MAGISTRATE, KARAIKUDI

2. DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
SIVAGANGAI DISTRICT

3. THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
KARAIKUDI, SIVAGANGAI DISTRICT

4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER

IN

CRL OP(MD) No.15700 of 2020

Date : 23/12/2020

GNS

PK/SMA/SAR-III/06.01.2021 : 3P/5C