



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

Date : 11/06/2021

PRESENT

The Hon`ble Mr.Justice G.R.SWAMINATHAN

CRL OP(MD) . No.3862 of 2021

WEB COPY

1. Muniyandi
2. Kottaiyammal
3. Mangaleshwari
4. Seeniyammal

... Petitioners/Accused Nos.2 to 5

Vs

State Rep. by
The Inspector of Police,
All Women Police Station,
(*) Ramanathapuram, Ramanathapuram District.
Cr.No.18 of 2020. ... Respondent/Complainant

For Petitioner : Mr.Arputharaj.A,
Advocate.

For Respondent : Mr.T.Senthil Kumar,
Government Advocate (Crl.Side)

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

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

ORDER : The Court made the following order :-

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

2. The petitioners apprehending arrest at the hands of the respondent police for the offences punishable under sections 294(b), 323, 498(A) and 494 of I.P.C., and Section 4 of Women Harassment Act and Section 68 @ 75 of Juvenile Justice Care and Protection Act in Crime No.18 of 2020 on the file of the respondent police, seek anticipatory bail.

3. The defacto complainant is the daughter-in-law of petitioners 1 and 2. It is stated that their son first accused married the sixth accused Anusuya as second wife.

4. The primary allegations are only made against the first accused and the sixth accused. By arresting the petitioners, no purpose is being served.



5. Therefore, this Court is inclined to grant anticipatory bail to the petitioners on certain conditions.

6. Accordingly, the petitioners are ordered to be released on bail in the event of arrest by the respondent police on executing personal bonds for a sum of Rs.5,000/- [Rupees Five Thousand only] each with two sureties each for a likesum to the satisfaction of the respondent police and on further condition that the petitioners shall appear before the learned (*) **Additional Mahila Court at Magisterial Level, Ramanathapuram** and execute fresh personal bonds for a sum of Rs.5,000/- [Rupees Five Thousand only] each with two sureties each for a likesum to the satisfaction of the concerned Sessions Judge, within a period of one month, from the date of resumption of regular work in subordinate Courts in view of the present pandemic situation and on further conditions that:

[a] the sureties shall affix their photographs and Left Thumb Impression in the surety bonds and the Magistrate may obtain a copy of their Aadhar cards or Bank pass Books to ensure their identity;

[b] the petitioners shall report before the respondent police as and when required for interrogation;

[c] the petitioners shall not abscond either during investigation or trial;

[d] the petitioners shall not tamper with evidence or witness 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 thereafter abscond, a fresh FIR can be registered under Section 229A IPC.

sd/-

11/06/2021

(*) Amended as per order of this Hon'ble Court dated 23/12/2021 in CRL MP(MD) No.11748 & 11750/2021 in CRL OP(MD) No.3862/2021 by GIJ.

/ TRUE COPY /

/ /2022

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 BE SUBSTITUTED WITH THE ORDER DATED 11/06/2021 ALREADY DESPATCHED.

TO

1. THE ADDITIONAL MAHILA JUDGE AT
MAGISTERIAL LEVEL, RAMANATHAPURAM.
2. DO-THROUGH : THE CHIEF JUDICIAL MAGISTRATE,
RAMANATHAPURAM.
3. THE SESSIONS JUDGE,
(FAST TRACK MAHILA COURT),
RAMANATHAPURAM.
4. THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
PARAMAKUDI, RAMANATHAPURAM DISTRICT.
5. THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
RAMANATHAPURAM, RAMANATHAPURAM DISTRICT.
6. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
CRL OP(MD) No.3862 of 2021
Date :11/06/2021

pmu
JM/JC/SAR II/15.06.2021/3P/4C
USK/JM/SAR-III/10.01.2022/3P/7C