



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 06/12/2021
PRESENT

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

CRL OP(MD) . No.6623 of 2021

1. K.Meenakshi Sundaram
2. A.Kandavelu
3. K.Chandramohan
4. C.Muthulakshmi ... Petitioners/Accused Rank Not Known

Vs

The State rep.by,
The Inspector of Police,
All Women Police Station,
Thallakulam, Madurai District.
Crime No.25 of 2021.

... Respondent/Complainant

Kalai Arasi ... Intervening Petitioner/ Defacto
Complainant/ Defacto Complainant

For Petitioners : Mr.J.Selvin Rajesh
for Dictum Law Firm
For Respondent : Mr.T.Senthil Kumar,
Additional Public Prosecutor
For Intervenor : Mr.V.Kathirvelu,
Senior Counsel for Mr.S.Sathishkumar, Advocate.

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

PRAYER :-For Anticipatory Bail in Crime No.25 of 2021 on the file of
the Respondent Police.

ORDER : The Court made the following order :-

Heard the learned Counsel for the petitioners, learned
Additional Public Prosecutor for the respondent and learned Senior
Counsel for the intervenor.

2. The petitioners apprehending arrest at the hands of the
respondent police for the offences punishable under Sections 406,
494 and 498(A) IPC, in Crime No.25 of 2021 on the file of the
respondent police, seek anticipatory bail.

3. The learned Senior Counsel appearing for the intervenor as
well as the learned Additional Public Prosecutor would strongly
oppose the grant of anticipatory bail.

<https://hcmj.cemilaw.com/hcmj/cases/>



4. This Court, vide order, dated 30.11.2021 in W.P.(MD)No.20118 of 2021, has also issued certain directions with regard to the matrimonial complaint given by the defacto complainant. In view of the said development, I am of the view that the custodial interrogation of the petitioners is not really warranted.

5. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of two weeks from the date of receipt of a copy of this order, before the Judicial Magistrate, Additional Mahila Court, Madurai, on condition that the petitioners shall execute a bond for a sum of Rs.10,000/- (Rupees Ten thousand only) each with two common 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 on 09.12.2021, 10.12.2021 and 11.12.2021 at 10.30 a.m. and thereafter, as and 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 thereafter abscond, a fresh FIR can be registered under Section 229-A IPC.

sd/-
06/12/2021

/ 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 concerned.

TO

- 1 THE JUDICIAL MAGISTRATE,
ADDITIONAL MAHILA JUDGE, MADURAI.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
MADURAI DISTRICT.
- 3 THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION, THALLAKULAM,
MADURAI DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.J.SELVIN RAJESH, Advocate (SR-8897[I] dated 06/12/2021)

ORDER
IN
CRL OP(MD) No.6623 of 2021
Date :06/12/2021

MGA
MK/PN/SAR.III/08.12.2021/3P/6C