



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 05/08/2021

PRESENT

WEB COPY

The Hon`ble Mr.Justice B.PUGALENDHI

CRL OP (MD)No.10674 of 2021

1. R.Muruganantham
2. Saraswathi

... Petitioners/Accused Nos.2 and 3

Vs

The State rep.by,
The Inspector of Police,
All Women Police Station,
Kulithalai,
Karur District
(Crime No.17/2021)

... Respondent/Complainant

For Petitioner : Mr.M.Kaliraj,
Advocate.

For Respondent : Mr.P.Kottaichamy,
Government Advocate (Crl.Side)

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

PRAYER :-For Anticipatory Bail in Crime No.17/2021 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioners, who apprehend arrest at the hands of the respondent police for the alleged offences punishable under Sections 417, 109 and 506(i) IPC in Crime No.17 of 2021, seek anticipatory bail.

2.The case of the prosecution is that first accused and the defacto complainant had an affair and he had physical relationship with her. Thereafter, the parents of the first accused arranged marriage of the first accused with some other girl. When the defacto complainant questioned the same, all the accused abused her in filthy language and also threatened her. Hence, the present case came to be registered.

3.The learned counsel for the petitioners submitted that the petitioners are innocent persons and they are parents of the first accused.



4. Heard the learned counsel for the petitioner and the learned Government Advocate (Crl. side) appearing for the respondent police.

5. Considering the nature of offence and the fact that major offence is only under Section 506(i) IPC, this Court is inclined to grant anticipatory bail to the petitioners and this criminal original petition is allowed.

6. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate No. I, Kulithalai, 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 learned Magistrate concerned and on further conditions 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 Aadhaar card or bank pass book to ensure their identity.

[b] the petitioners shall report before respondent police as and when required.

[c] the petitioners shall not tamper with the 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]**.

[f] If the accused thereafter abscond, a fresh FIR can be registered under Section 229-A IPC.

sd/-
05/08/2021

/ 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.

WEB COPY

- TO
- 1 THE JUDICIAL MAGISTRATE NO.I,
KULITHALAI.
 - 2 DO-THROUGH THE CHIEF JUDICIAL MAGISTRATE,
KARUR DISTRICT.
 - 3 THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION, KULITHALAI,
KARUR DISTRICT.
 - 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
CRL OP(MD) No.10674 of 2021
Date :05/08/2021

GNS
MK/JM/SAR.II/17.08.2021/3P/5C