



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 25/08/2021

WEB COPY

PRESENT

The Hon`ble Mr.Justice B.PUGALENDHI

CRL OP(MD). No.11889 of 2021

1. Sivakumar	... 1 st Petitioner/Accused No.2
2. Ramajeyam	... 2 nd Petitioner/Accused No.3

Vs

The State rep.by
The Inspector of Police,
Samayanallur Police Station,
Madurai District.
Crime No.93/2021.

... Respondent

For Petitioners : Mr.A.JOSEPH JERRY,
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.93 of 2021 on the file of the Respondent police.

ORDER : The Court made the following order :-

The petitioners/A2 and A3, who apprehend arrest at the hands of the respondent police for the alleged offences punishable under Sections 419, 406 and 420 of IPC, seek anticipatory bail.

2.The case of the prosecution is that the de-facto complainant is the husband of A1. The allegation as against these petitioners is that they have acted as parents of A1 and they also arranged marriage for A1 with the de-facto complainant. Hence, the case.

3.The learned counsel for the petitioners submitted that the petitioners are innocent persons, they have not committed any offence as alleged by the prosecution, but they have been falsely implicated in this case.



4.The learned Government Advocate (Crl.Side) appearing for the respondent opposed for grant of anticipatory bail on the ground that the investigation is yet to be completed.

5.Considering the facts and circumstances of the case and also considering the nature of allegations levelled against the petitioners, 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, Vadipatti, Madurai District, on condition that the petitioners 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 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 daily at 10.30 a.m., until further orders.

[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.

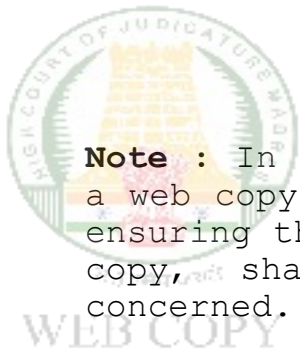
[e]On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioners in accordance with law as if the conditions have been imposed and the petitioners released on bail by the learned Magistrate/Trial Court himself as laid down 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/-
25/08/2021

/ 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.

TO

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

ORDER

IN

CRL OP(MD) No.11889 of 2021
Date :25/08/2021

SA/VR/SAR.4/02.09.2021/3P/5C