



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

Date : 28/10/2021

PRESENT

The Hon'ble Mr.Justice B.PUGALENDHI
CRL OP(MD).No.15221 of 2021

WEB COPY

1.Thamizharasi,

2.Tharani Devi,

... Petitioners/Accused

A5 to A6

Vs.

The State Rep. By
The Inspector of Police,
All Women Police Station,
Sivagangai,
Sivagangai District.
Cr.No.32 of 2021.

... Respondent/Complainant

For Petitioners: Mr.Prahalad Ravi.B,
Advocate.

For Respondent : Mr.A.Thiruvadi Kumar,
Additional Public Prosecutor

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

PRAYER :-

For Anticipatory Bail in Crime No.32 of 2021 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioners/Accused Nos.5 & 6, who apprehend arrest at the hands of the respondent police for the alleged offences punishable under Sections 498(A), 313, 315, 394, 494, 167, 218, 465, 466, 468, 471 & 109 IPC, in Crime No.32 of 2021, seek anticipatory bail.

2.The case of the prosecution is that the petitioners said to have helped the 1st accused namely the husband of the de-facto complainant for conducting second marriage with one Nagarani of Nilakottai, Dindigul District on 24.03.2021. Hence the case has been registered.

3.The learned counsel appearing for the petitioners submitted that the petitioners are the maternal aunt and daughter of the first accused. The petitioners have unnecessarily been roped in the case. He further submitted that they have not committed any offence as alleged by the prosecution and they are falsely implicated in the case.



4.The learned Additional Public Prosecutor appearing for the respondent police submitted that the petitioners arranged the second marriage to the first accused with another lady. Hence, he strongly opposed to grant anticipatory bail to the petitioners.

5.Considering the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

6.Accordingly, this criminal original petition is allowed and 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 Additional Mahila Court, Sivagangai, Sivagangai District, on condition that the petitioners shall execute a bond for a sum of Rs.25,000/- (Rupees Twenty Five 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 once in a week, i.e., on every Monday 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/-
28/10/2021

/ TRUE COPY /

/ /2021
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.



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

WEB COPY

1.THE ADDITIONAL MAHILA COURT, SIVAGANGAI.

2.THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION, SIVAGANGAI,
SIVAGANGAI DISTRICT.

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

+1 CC to M/s.B.PRAHALAD RAVI, Advocate (SR-7643[I] dated 29/10/2021)

ORDER IN
CRL OP(MD) No.15221 of 2021
Date :28/10/2021

SB/VR/SAR-II/09.11.2021/3P/5C