



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 25.10.2021

WEB COPY

PRESENT

The Hon`ble Mr.Justice B.PUGALENDHI

CRL OP (MD) No.15382 of 2021

1.N.Vairamani

2.S.Manonmani

... Petitioners / 3rd & 4th Accused

Vs

1.The State represented by
The Inspector of Police,
All Women Police Station,
Manamadurai,
Sivagangai District.

... 1st Respondent

2.Keerthika

... 2nd Respondent/Complainant

For Petitioner : Mr.K.Mahendran

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

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

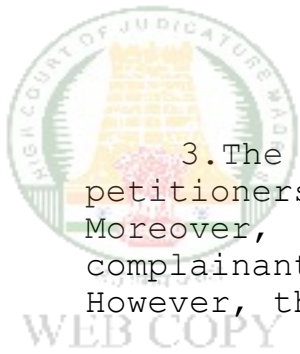
PRAYER :-

For Anticipatory Bail against the Non Bailable Warrant issued in C.C.No.124 of 2020 on the file of the Additional District Munsif cum Judicial Magistrate, Manamadurai.

ORDER : The Court made the following order :

The petitioners, apprehending arrest against the non bailable warrant issued in C.C.No.124 of 2020 on the file of the learned Additional District Munsif cum Judicial Magistrate, Manamadurai seek anticipatory bail.

2.The prosecution case is that the defacto complainant filed a petition in Cr.M.P.NO.1165 of 2020 before the learned Judicial Magistrate, Manamadurai under Section 156(3) CrPC and based on the complaint the learned Magistrate issued summons to the husband, petitioners herein. However, the petitioners did not appear before the Court and therefore, a non bailable warrant of arrest was issued against the petitioners.



3.The learned Counsel for the petitioner submits that the petitioners are innocents and they have not committed any offence. Moreover, the petitioners are sisters-in-law of the defacto complainant. However, they are married and settled in other places. However, they have also been implicated in this case.

4.Taking into consideration of the facts and circumstances of the case, the nature of allegations and the petitioners being in-laws of the defacto complainant, this Court is inclined to grant anticipatory bail to the petitioners. Accordingly, this petition is allowed and the petitioners are ordered to be released on bail in the event of arrest or their appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Additional District Munsif cum Judicial Magistrate, Manamadurai, on condition that the petitioners shall execute a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) each with two sureties each for a like sum to the satisfaction of the learned Judge 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 learned Judge may obtain a copy of their Aadhaar card or bank pass book to ensure their identity;

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

[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 Judge/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 have been released on bail by the learned Judge/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 / petitioners thereafter abscond, a fresh FIR can be registered under Section 229-A IPC.

sd/-
25/10/2021

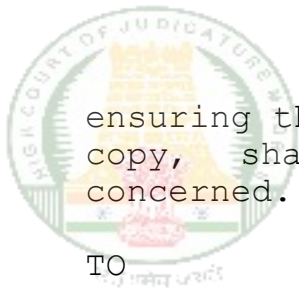
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/ /2021
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

dsk

<https://hcservices.ecourts.gov.in/hcservices/>

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 ADDITIONAL DISTRICT MUNSIF CUM JUDICIAL MAGISTRATE,
MANAMADURAI.
2. DO-THROUGH THE CHIEF JUDICIAL MAGISTRATE,
SIVAGANGAI DISTRICT.
3. THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION, MANAMADURAI,
SIVAGANGAI DISTRICT.
4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER

IN

CRL OP(MD) No.15382 of 2021

Date :25/10/2021

SB/JM/SAR-I/10.11.2021/3P/5C