



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 09.02.2022
PRESENT

WEB COPY

The Hon`ble Mr.Justice K.MURALI SHANKAR
CRL OP(MD) . No.2820 of 2022

1. Shenai
2. Lizi Jenet
3. Queen Mahila
4. Queen Menaga
5. Redlin Gold Sherin

...Petitioners/Accused Nos.1to5

Vs

State, represented by
The Sub-Inspector of Police,
All Women Police Station,
Nagercoil,
Kanyakumari District.
(Crime No.70 of 2021)

... Respondent/ Complainant

For Petitioners : Mr.K.Gokul
Advocate.

For Respondent : Mr.M.Muthumanikkam
Government Advocate (Crl. side)

PETITION FOR ANTICIPATORY BAIL Under Section 438 of Cr.P.C.
PRAYER :-

For Anticipatory Bail in Crime No.70 of 2021 on the file of the Respondent police.

ORDER: The Court made the following order :-

The petitioners/accused, who apprehend arrest at the hands of the respondent police for the alleged offences punishable under Sections 498(A) and 406 IPC, in Crime No.70 of 2021 on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that the first petitioner and the defacto complainant are husband and wife and the first petitioner and his family members demanded money from the defacto complainant and her parents several times. Hence, the complaint.

3.The learned counsel for the petitioners would submit that the petitioners are innocent persons and they have not committed any offence as alleged by the prosecution.

4.The learned Government Advocate (Criminal Side) would submit that the petitioners are not having any previous cases.

5.Considering the nature of charges levelled against the petitioners 2 to 5 and also the fact that the petitioners 2 to 5 are



not having any bad antecedents, this Court is inclined to grant anticipatory bail to the petitioners 2 to 5 subject to the following conditions:

6. Accordingly, the petitioners 2 to 5 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 Judicial Magistrate, Additional Mahila Court, Nagercoil, on condition that the petitioners 2 to 5 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 Magistrate concerned and on further conditions that:

(a) the petitioners 2 to 5 and the sureties shall affix their photographs and left thumb impression in the surety bond and the learned Magistrate may obtain a copy of their Aadhaar card or bank pass book to ensure their identity;

(b) the petitioners 2 to 5 shall report before the respondent police for a period of thirty (30) days and thereafter, as and when required for interrogation;

(c) the petitioners 2 to 5 shall not tamper with the evidence or witness either during investigation or trial;

(d) the petitioners 2 to 5 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 2 to 5 in accordance with law as if the conditions have been imposed and the petitioners 2 to 5 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 / petitioners 2 to 5 thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

7. Considering the seriousness of the charges levelled against the first petitioner, this Court is not inclined to grant anticipatory bail to the first petitioner. Accordingly, this Criminal Original Petition is dismissed, with respect to the first petitioner.

sd/-
09/02/2022

/ TRUE COPY /

/ /2022
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 COURT, NAGERCOIL.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
KANNIYAKUMARI DISTRICT AT NAGERCOIL.
- 3 THE SUB INSPECTOR OF POLICE
ALL WOMEN POLICE STATION, NAGERCOIL,
KANYAKUMARI DISTRICT
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
CRL OP(MD) No.2820 of 2022
Date :09/02/2022

SS/SBN/SAR-III/15.02.2022 : 3P/5C