



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 19/05/2022

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PRESENT

The Hon`ble **Mrs.Justice T.V.THAMILSELVI**

CRL OP(MD) . No.9031 of 2022

1. Muthupandi
2. Esakkiammal

... Petitioners/Accused No.1 & 2

Vs

The State rep.by,
The Inspector of Police,
Serakulam Police Station,
Thoothukudi District.
Crime No.17/2022 Dated 01.05.2022.

... Respondent/Complainant

For Petitioner : Mr.S.Saravanan,
Advocate.

For Respondent : Mr.M.VAIKKAM KARUNANITHI,
Government Advocate (Crl.Side)

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

PRAYER :-For Anticipatory Bail in Crime No.17/2022 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 269, 294(b) and 506(i) IPC, in Crime No.17 of 2022 on the file of the respondent police, seek anticipatory bail.

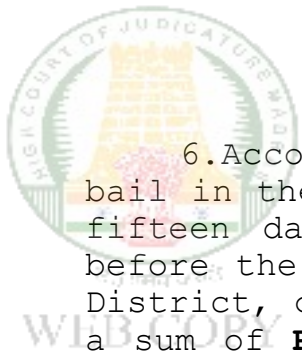
2.The case of the prosecution is that the petitioners did not maintain the defacto complainant, who is the the maternal grandfather of the first petitioner. Hence, the complaint.

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) appearing for the State would submit that investigation is pending.

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

<https://hcservices.courts.gov.in/hcservices/certificates>



6. Accordingly, 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 Judicial Magistrate-I, Srivaikundam, Thoothukudi District, 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 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 learned Magistrate may obtain a copy of their Aadhaar card or bank pass book to ensure their identity;

(b) the second petitioner shall report before the respondent police as and when for interrogation and the first petitioner shall report before the respondent police **once in a week (ie., on every Wednesday) at 10.30 a.m.**, for a period of six weeks, and thereafter, 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 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]**; and;

(f) if the accused / petitioners thereafter abscond, a fresh FIR can be registered under Section 229-A IPC.

sd/-
19/05/2022

/ 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.

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



TO

1 THE JUDICIAL MAGISTRATE I,
SRIVAIAKUNDAM, THOOTHUKUDI DISTRICT.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE
THOOTHUKUDI DISTRICT.

3 THE INSPECTOR OF POLICE
SERAKULAM POLICE STATION, THOOTHUKUDI DISTRICT.

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

+1 CC to MR.S.SARAVANAN, Advocate (SR-4979[I] dated 20/05/2022)

ORDER
IN
CRL OP(MD) No.9031 of 2022
Date :19/05/2022

rmk
MK/PN/SAR.IV/24.05.2022/3P/6C