



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 18/05/2022
PRESENT

THE HON'BLE MRS JUSTICE T.V.THAMILSELVI

CRL OP(MD) . No.9206 of 2022

1. Muthuselvi
2. S.Selvameena

... Petitioners/Accused Nos.2 & 5

Vs

The State rep.by
The Inspector of Police, Crime
E-3 Anna Nagar Police Station,
Madurai City,
Madurai District.
Crime No.80 of 2022

... Respondent/Complainant

For Petitioners : Mr.RADHAKRISHNAN
Advocate.

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

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

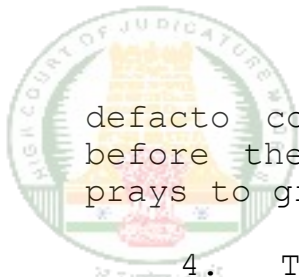
PRAYER :- For Anticipatory Bail in Crime No.80 of 2022 on the file of the respondent Police.

ORDER : The Court made the following order :-

The petitioners/A2 and A5, apprehending arrest at the hands of the respondent police for the offences punishable under Sections 147, 120B, 406, 420 and 506(2) IPC, in Crime No.80 of 2022, on the file of the respondent police, seek anticipatory bail.

2. The petitioners are sisters of A1. The defacto complainant is the husband of A1. The case of the prosecution is that the petitioners along with A1 took away the jewels of the defacto complainant.

3. The learned counsel appearing for the petitioners submits that there was a dispute between the defacto complainant and A1, who is the sister of the petitioners. The petitioners herein are no way connected with the dispute between the defacto complainant and his wife/A1. However, they have been falsely implicated in this case. He further submits that a suit in O.S.No.360 of 2016 filed by the



defacto complainant against the accused persons is also pending before the Principal District Munsif Court, Madurai. Hence, he prays to grant anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl. Side) submits that the defacto complainant is a blind person and by taking advantage of the same, the petitioners along with A1, took away jewels without the knowledge of the defacto complainant. He further submits that A1 is still absconding. Since the petitioners are sisters of A1, he opposed for grant of anticipatory bail to the petitioners.

5. Considering the fact that there was a dispute between the defacto complainant and A1 and a suit filed by the defacto complainant against the accused persons is also pending before the lower Court, there is no possibility of tampering with evidence, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

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 No.I, Madurai, 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 Magistrate 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 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 petitioner 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]**.

sd/-
18/05/2022

/ 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.

TO

- 1 THE JUDICIAL MAGISTRATE NO.I
MADURAI.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
MADURAI DISTRICT.
- 3 THE INSPECTOR OF POLICE, CRIME
E-3 ANNA NAGAR POLICE STATION,
MADURAI CITY,
MADURAI DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

+1. CC to M/S.RADHAKRISHNAN Advocate SR.No.4818

ORDER

IN

CRL OP(MD) No.9206 of 2022

Date :18/05/2022

SA/VR/SAR.1/23.05.2022/3P/6C