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CRL OP(MD). N



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

Date : 21/09/2022

PRESENT

The Hon`ble Mr.Justice A.A.NAKKIRAN

CRL OP(MD) . No.15429 of 2022

1. Abimani
2. Sivasakthi

... Petitioners/Accused No.1 & 2

Vs

1 The State rep.by,
The Inspector of Police,
All Women Police Station-Manaparai Police Station,
Trichy District.
Crime No.19/2022.

... Respondent / Complainant

2. Sasikala

... 2nd respondent

(R2 is Suo Motu Impleaded as Per Order
of the Court Dated 30/08/2022 In CRL OP
(MD)No.15429 of 2022)

For Petitioner : M/s.Ramsundarvijayaraj S,
Advocate.

For Respondent : Mr.M.Vaikkam Karunantihi
Government Advocate (Crl.Side)

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

PRAYER :-For Anticipatory Bail in Crime No.19 of 2022 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 offences punishable under Sections
376, 417, 323, 496, 341, 120B, 506(i), 363 and 366 IPC in Crime
No.19 of 2022, seek anticipatory bail.

2.The case of the prosecution as per the defacto complainant is
that both A1 and the defacto complainant loved each other, later on,
A1 cheated her. Hence the complaint.



3.The learned counsel for the petitioners would submit that the matter has been compromised between the parties and hence, the petitioners may be granted anticipatory bail.

4.The learned Government Advocate(Crl.Side) would submit that now the matter has been compromised between the parties.

5.Considering the facts and circumstances of the case and also considering the fact that the matter has been compromised between the parties, 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 their 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, Trichy, on condition that the petitioners shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each with two sureties, each for a like sum to the satisfaction of the respondent Police or to the Police Officer, who intends to arrest or 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 Aadhar 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 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 thereafter abscond, a fresh FIR can be registered under Section 229-A IPC.

sd/-

21/09/2022

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/09/2022

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



TO

1 THE JUDICIAL MAGISTRATE,
TRICHY.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE
TRICHY DISTRICT.

3 THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION-MANAPPARAI POLICE STATION,
TRICHY DISTRICT.

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

+1 CC to M/s.S.RAMSUNDARVIJAYARAJ, Advocate (SR-10299[I] dated
21/09/2022)

ORDER

IN

CRL OP(MD) No.15429 of 2022

Date :21/09/2022

trp

MK/VR/SAR.I/27.09.2022/3P/6C