

In the Court of the Principal District Judge, Madurai.

Present : **Thiru.M. Balakumar, B.A., M.L.,**

(V Additional District Judge, Madurai)

Principal District Judge, Madurai. (i/c)

Thursday, this the 10th day of September -2020.

Crl.M.P.No.4060/2020

1.Laila,W/o.Muniyandi
2.Neela,W/o.Mariyappan

... Petitioners/Accused.

Vs

State through the Inspector of Police,

Kadupatti,P.S. Cr.No.16/2015

... Respondent/Complainant.

This petition taken up today for hearing at request through e.mail/ e.petition and after hearing the arguments of Thiru.M.Thiyagarajan, Advocate for the petitioner and of Thiru.M. Tamil Chelvan, the Public Prosecutor for the state over conference call, this court passed the following

Order

1. Anticipatory Bail application u/s. 438 of Cr.p.c.
2. The offences alleged are U/s. 147, 342, 294(b), 506(ii), 148 and 326 of IPC.
3. Heard.
4. The learned counsel for the petitioners argued that this is a case of way back to the year of 2015. The remaining petitioners have obtained bail and so far this petitioners are concerned, they have not at all involved in the case and simply their name have been included in the complaint. Hence, the present petitioners now came to know that their name also included in the complaint and prays to grant anticipatory bail to the petitioners.
5. The learned public prosecutor has also have not specific and serious objection. Considering the fact that the case belongs to the year of 2015 and

the case is hurt in nature, this Court is inclined to grant anticipatory bail to the petitioners on condition.

6. In the result, in the event of arrest or on their surrender before the Court concerned, the Petitioners are ordered to be enlarged on anticipatory bail on their executing own bond each for a sum of Rs.10,000/- to the satisfaction of the Judicial Magistrate concerned subject to the following conditions:-

(i) After a period of 6 weeks, the petitioners should surrender before the Judicial Magistrate concerned and execute a fresh bond each for Rs.10,000/- with two sureties for likesum each to the satisfaction of Judicial Magistrate concerned. Thereafter, the petitioners shall appear and sign before the Inspector of Police, Respondent Police Station daily at 10.00 a.m., until further orders.

(ii) The petitioners shall not tamper with the witness or in any manner interfering with or put obstacle to the smooth progress of interrogation.

(iii) If there is any violation of condition, the Investigation Officer is within his discretion to approach the Court of the learned Judicial Magistrate concerned for cancellation of bail order though bail granted by the Sessions Court, as per ruling of the Hon'ble Supreme Court reported in ***P.K. Shaji /Vs./State of Kerala (2005) AIR SC W 5560***. Accordingly, the petition is allowed.

Pronounced by me in Open Court on the 10th day of September -2020.

Sd/- M. Balakumar

V Additional District Judge, Madurai

Principal District Judge, Madurai.(i/c)

Copy to

1. The Judicial Magistrate concerned
2. The Inspector of Police, Kadupatti, P.S.
3. The Petitioner through his counsel.

