



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

Monday, the Twenty Third day of February Two Thousand Fifteen

PRESENT

THE HON`BLE MR JUSTICE P.N.PRAKASH

CRL OP(MD) No.1468 of 2015

SIVAKUMAR

... PETITIONER/ACCUSED

Vs

THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION, THENI,
CR.NO.5 OF 2015

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.SIVASUBRAMANIAN, ASSOCIATES Advocate

For Respondent : MR.A.P.BALASUBRAMANIAN, Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

This petition was filed showing crime number as not known. Therefore, on 29.01.2015, this Court has granted interim anticipatory bail to the petitioner with a direction to them to return the articles belonging to the defacto complainant.

2. Today, the petitioner has filed an affidavit stating that he has returned seven items belonging to the defacto complainant.

3. The respondent police is also present and the learned additional Public prosecutor on instructions from the respondent police would submit that the petitioner has returned the jewellery and other articles to the defacto complainant.

4. The learned counsel for the petitioner would submit that the petitioner and the defacto complainant have arrived at an amicable settlement and they are likely to come to compromise.

5. The police have now registered a case in Crime No.5 of 2015 for the offence under Sections 294(b), 498-A IPC and Section 4 of Dowry prohibition Act.

6. Under such circumstances, I am inclined to grant anticipatory bail to the petitioners. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen (15) days from the date of receipt of a copy of this order, before the learned Judicial Magistrate, Theni on condition that the petitioners execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties each for a like sum to the satisfaction of the respondent police or the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further



[a] the petitioners shall appear before the respondent police as and when required for interrogation;

[b] the petitioners shall not tamper with evidence or witness either during investigation or trial;

[c] the petitioners shall not abscond either during investigation or trial;

[d] 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].

sd/-
23/02/2015

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)

TO

1. THE JUDICIAL MAGISTRATE, THENI.
2. -DO- THE CHIEF JUDICIAL MAGISTRATE, THENI.
3. THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION, THENI.
4. THE ADDL.PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

SR : 27.02.2015 : 2P/5C

ORDER
IN
CRL OP(MD) No.1468 of 2015
Date :23/02/2015