



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

Wednesday, the Twenty Eighth day of January Two Thousand Fifteen
PRESENT

The Hon`ble Mr. Justice P.N.PRAKASH

CRL OP (MD) No.16434 of 2014

WEB COPY

JEYAN

... PETITIONER/ACCUSED-1

Vs

STATE.REP.BY

THE INSPECTOR OF POLICE

KUZHITHURAI, KANYAKUMARI DISTRICT.

CR. NO. 3 OF 2013.

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.S.KAMESWARAN Advocate

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

PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.
ORDER : The Court Made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offences punishable under Sections 498(A) and 406 of Indian Penal Code in Crime No.3 of 2013 on the file of the respondent police, seeks anticipatory bail.

2. It is the case of the prosecution that the petitioner got married to the *defacto* complainant on 04.05.2012 and they have no issues. The First Information Report in this case was registered on 29.01.2013. Initially, this matter was referred to the Mediation Centre and the mediation has failed and a report to that effect has been received.

3. The learned Government Advocate (Criminal side) submits that the investigation has been completed and the final report has been filed.

4. Considering the facts and circumstances of the case, I am inclined to grant anticipatory bail to the petitioner. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his 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, Kuzhithurai, Kanyakumari District, on condition that the petitioner 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 condition that:

[a] the petitioner shall report before the respondent police as and when required for interrogation.

[b] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[c] the petitioner 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 petitioner 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/-
28/01/2015

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE NO.I,
KUZHITHURAI, KANYAKUMARI DISTRICT.
- 2 DO-THRO' THE CHIEF JUDICIAL MAGISTRATE,
KANYAKUMARI AT NAGERCOIL.
- 3 THE INSPECTOR OF POLICE
KUZHITHURAI, KANYAKUMARI DISTRICT.
- 4 THE ADDL.PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
CRL OP(MD) No.16434 of 2014
Date :28/01/2015

PA/02.02.15/2P/5C