



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

Tuesday, the Third day of February Two Thousand Fifteen
PRESENT

The Hon`ble Mr Justice P.N.PRAKASH

CRL OP (MD) No.16766 of 2014

1 A.A. SARAVANAN

2 ANGALAMMAI

... PETITIONERS/ACCUSED RANK NOT KNOWN

Vs

STATE REP BY THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION, MADURAI TOWN,
MADURAI, CRIME NO.11 OF 2014 ... RESPONDENT/COMPLAINANT

For Petitioner : M/S.S.ALAGUSUNDAR 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 :-

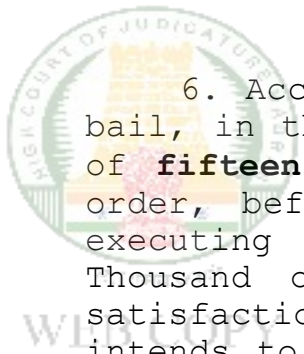
Apprehending arrest at the hands of the respondent police in Crime No.11 of 2014, on the file of the respondent police for offences under Sections 498(A) and 406 of the Indian Penal Code, the petitioners are now before this Court seeking Anticipatory Bail.

2. Initially, the case was referred to the Mediation and Conciliation Centre and the Mediation and Conciliation Centre has sent a failure report dated 19.01.2015.

3. It is the case of the prosecution that Saravanan, who is aged about 44 years, got married to the de-facto complainant, who is aged about 24 years. It is Saravanan's second marriage. The earlier marriage had ended in divorce, because the first wife was not able to bear a child. After marrying the de-facto complainant, Saravanan has subjected her to untold cruelty, as it could be seen from the averments made by the de-facto complainant in the complaint.

4. Having regard to the serious nature of allegations against Saravanan, this Court is not inclined to grant anticipatory bail to the first petitioner. Accordingly, this petition is dismissed as against the first petitioner.

5. As regards the 2nd petitioner is concerned, she is the mother of the first petitioner and the allegations are not very serious, I am inclined to grant anticipatory bail, but with conditions.



6. Accordingly, the 2nd petitioner is ordered to be released on bail, in the event of arrest or on his appearance, within a period of **fifteen (15) days** from the date of receipt of a copy of this order, before the learned Judicial Magistrate, No.I, Madurai, on executing a separate 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 2nd petitioner shall report before the respondent police as and when required for interrogation.

[b] the 2nd petitioner shall not tamper with evidence or witness either during investigation or trial.

[c] the 2nd 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 petitioners in accordance with law as if the conditions have been imposed and the 2nd 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/-

03/02/2015

/ TRUE COPY /

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

TO

1 THE JUDICIAL MAGISTRATE NO.I, MADURAI.

2 THE CHIEF JUDICIAL MAGISTRATE, MADURAI.

3 THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION, MADURAI TOWN, MADURAI

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

+1. CC to M/S.S.ALAGUSUNDAR Advocate SR.No.5183

ORDER

IN

CRL OP(MD) No.16766 of 2014

Date :03/02/2015

AA/06.02.2015/2p- 6c/