



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

Monday, the Sixteenth day of March Two Thousand Fifteen
PRESENT

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

CRL OP(MD) Nos.168 & 2017 of 2015

WEB COPY

1 J. CHANDRASEKARAN

2 C. VASANTHA

... PETITIONERS/ACCUSED IN CRL OP(MD)NO.168/2015

C.VINOTH

... PETITIONER/ACCUSED IN CRL OP(MD)NO.2017/2015

Vs

STATE REP.BY

THE INSPECTOR OF POLICE

ALL WOMEN POLICE STATION,

THIRUVERAMBUR, TRICHY DT,

(CRIME NO.4 OF 2015)

.. RESPONDENT/COMPLAINANT IN BOTH PETITIONS

For Petitioners : No appearance in CRLOP(MD)NO.168/2015

For Petitioner : MR.VINOTH, Party in Person in CRLOP(MD)NO.2017/2015

For Respondent : MR.A.P.BALASUBRAMANIAN Govt. Advocate (Crl. Side)
in both petitions

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

ORDER : The Court Made the following order :-

The petitioners, who apprehend arrest at the hands of the respondent police for the alleged offences punishable under Section 498(A) IPC and Section 4 of Dowry Prohibition Act in Crime No. 4 of 2015 on the file of the respondent police, seek anticipatory bail.

2. Boycott of Courts pursuant to boycott called by Bar Council of India protesting the murder of an Advocate by police. There is no representation on behalf of the petitioners in Crl.O.P.No.168 of 2015. Mr.Vinoth, the petitioner in Crl.O.P.NO.2017 of 2015 is present before this Court. Heard the learned Government Advocate (Crl.side) appearing for the State and perused the materials available on record.

3.Earlier when the case was in Crime No. Not known stage, this Court had granted interim anticipatory bail to all the petitioners on condition that they should appear before the respondent police.

4.Today the respondent police is present. The learned Government Advocate (Crl. Side) on instruction submits that the petitioners have complied with the orders of this Court by appearing before the respondent police for interrogation. It is also represented that the petitioners have returned the Sridhana articles to the defacto complainant.

5. Relying upon the judgment reported in **Arnesh Kumar vs. State of Bihar and Another** reported in (2014) 3 MLJ (Crl) (SC), 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 days from the date of



receipt of a copy of this order, before the learned **(*)Additional Mahila Court, Judicial Magistrate, Trichy**, on condition that each of the petitioner shall 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 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].The Inspector of Police concerned is directed to send a compliance report to the office of the learned Government Advocate (Crl.side) as to whether the petitioners are complying with the order or not.

sd/-

16/03/2015

**(*)Amended as per order of this
Hon'ble Court dated 30.03.2015.**

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)

TO

To be substituted the order copy already despatched.

1. **The Additional Mahila Court, Judicial Magistrate, Trichy,**
- 2 THE JUDICIAL MAGISTRATE NO.VI, TRICHY.
- 3 DO-THRO' THE CHIEF JUDICIAL MAGISTRATE, TRICHY.
- 4 THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION, THIRUVERAMBUR, TRICHY DT.
- 5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER

IN

CRL OP(MD) Nos.168 & 2017 of 2015

Date :16/03/2015

PA/17.03.2015/2P/6C

PA/31.03.2015/2P/6C