



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

Tuesday, the Third day of March Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice P.N.PRAKASH

CRL OP(MD) No.17512 of 2014

1 RAJAPANDIASEKARAN
2 BOSE
3 GANESA KUNJARI
4 PRADEEPA

... PETITIONERS/ACCUSED RANK NOT KNOWN

Vs

THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION, PARAMAKUDI,
RAMANATHAPURAM DISTRICT.

CR. NO. NOT KNOWN OF 2014. ... RESPONDENT/COMPLAINANT

For Petitioner : M/S.D.SENTHIL Advocate
For Respondent : MR.R.RAMACHANDRAN, Govt. Advocate (Crl. Side)
For Intervenor : MR.SUNDAR, Advocate

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

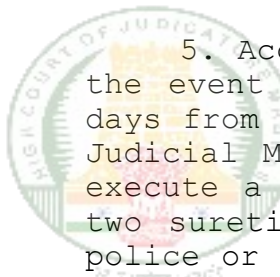
ORDER : The Court Made the following order :-

The petitioners, who apprehend arrest at the hands of the respondent police for the alleged offence punishable under Sections 498(A), 420, 406, 506(i), 109 r/w 34 IPC, in Crime No.6 of 2015 on the file of the respondent police, seek anticipatory bail.

2. Heard the learned counsel appearing for the petitioners and the learned Government Advocate [Criminal Side] appearing for the respondent.

3. Initially, the matter was referred to the Mediation Centre and failure report dated 09.12.2014 has been received from the Mediation Centre. When the Criminal Original Petition was filed, the Crime No was shown as "not known" and therefore, this Court granted interim Anticipatory Bail to the petitioners for a period of two weeks on condition that the first petitioner should appear before the respondent police for interrogation. Now, it is represented by the learned Government Advocate [Criminal Side] that a regular case in Crime No.6 of 2015 for the offences under Sections 498(A), 420, 406, 506(i), 109 r/w 34 IPC has been registered by the respondent police. It is also represented that on the orders of this Court, the first petitioner appeared before the respondent police and handed over all the articles to the *de facto* complainant, including one pair of ear studs and one gold ring on 24.02.2015.

4. As regards the allegations made in the complaint, this Court finds that they are not, indeed, very serious and therefore, relying upon the Judgment of the Hon'ble Supreme Court in **Arnesh Kumar Vs.State of Bihar** **2014 (8) Scale 250**, this Court is inclined to grant Anticipatory Bail to the petitioners herein.



5. 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 Judicial Magistrate, Paramakudi, on condition that the petitioners 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 report 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/-
03/03/2015

/ TRUE COPY /

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

TO

1.THE JUDICIAL MAGISTRATE,PARAMAKUDI

2.DO THRO THE CHIEF JUDICIAL MAGISTRATE, RAMANATHAPURAM.

3.THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

4.THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION, PARAMAKUDI,
RAMANATHAPURAM DISTRICT.

+1. CC to M/S.D.SENTHIL Advocate SR.No.10026

ORDER
IN
CRL OP(MD) No.17512 of 2014
Date :03/03/2015

rg.04.03.2015 2p.6c.