



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.18914 of 2014

JEYABALAN

... PETITIONER / ACCUSED No.1

Vs

THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION, THIRUMANGALAM,
MADURAI, CR.NO.32/2014

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.VEERA KATHIRAVAN 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 :-

Apprehending arrest at the hands of the respondent police in Crime No.32 of 2014, on the file of the respondent police for offences under Sections 498(A), 406, 506(i) IPC, the petitioner is now before this Court seeking Anticipatory Bail.

2. Heard the learned counsel for the petitioner and the learned Government Advocate for the respondent.

3. Initially, this matter was referred to the Mediation Centre and a failure report has been received on 23.12.2014.

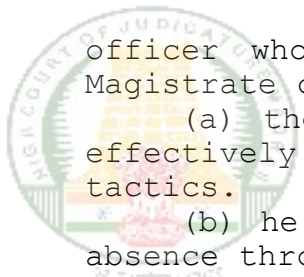
4. The learned counsel for the intervenor very strongly objected to the grant of anticipatory bail to the petitioner.

5.The learned Government Advocate submits that the investigation has been completed and final report has been filed in C.C.No.46 of 2015 before the Judicial Magistrate, Tirumangalam, for offences under Sections 498(A), 406 and 506(i) IPC.

6.The learned counsel for the petitioner submits that the petitioner is in United States and that he is willing to participate in the trial.

7. Since investigation has been completed and final report has been filed, this Court is inclined to grant anticipatory bail to the petitioner, but with conditions.

8. Accordingly, the 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, Tirumangalam, 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 petitioner shall make arrangements through his counsel for effectively conducting the trial and shall not adopt any dilatory tactics.

(b) he should consent for cross-examination of the witnesses in his absence through his counsel.

(c) he should file an affidavit of undertaking before the Magistrate consenting to cross examination of witnesses through his counsel without seeking unnecessary adjournments before the trial Court.

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

[e] the petitioner shall not abscond either during investigation or trial.

[f] 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/-
03/03/2015

/ TRUE COPY /

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

TO

1 JUDICIAL MAGISTRATE
THIRUMANGALAM.

2 THE CHIEF JUDICIAL MAGISTRATE,
MADURAI.

3 THE CHIEF CO-ORDINATOR,
MEDIATION AND CONCILIATION CENTRE,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

4 THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION,
THIRUMANGALAM, MADURAI.

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

+1. CC to M/S.VEERA KATHIRAVAN Advocate SR.No.9994

+1 CC TO M/S.S.C.HEROLD SINGH Advocate SR.No.10091

Sm:05.03.2015:2P/8C:

ORDER
IN
CRL OP(MD) No.18914 of 2014
Date :03/03/2015