

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

Monday, the Twenty Third day of February Two Thousand Fifteen
PRESENT

The Hon`ble Mr Justice P.N.PRAKASH

CRL OP(MD) No.19440 of 2014

WEB COPY

1 U.YASOTH
2 ANANDHAVALLI
3 SUGANTHI

... PETITIONERS/ACCUSED NO.1,2,3

Vs

THE STATE REP BY
THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION,
THIRUPPARANKUNDRAM,
MADURAI. CR. NO.134/2014.

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.DR.R.MANOCHARAN Advocate

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

For Intervener : MR.S.VANCHINATHAN, Advocate

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

ORDER : The Court Made the following order :-

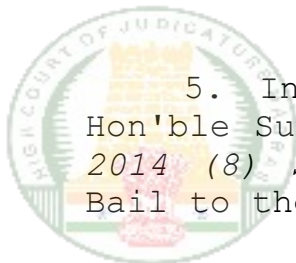
Apprehending arrest at the hands of the respondent police for the alleged offences punishable under Sections 498(A) & 506 (I) IPC and Section 4 of TNPWH Act and Section 4 of DP Act in Crime No.134 of 2014 on the file of the respondent police, the petitioners have come forward with this petition seeking anticipatory bail.

2. Heard the learned counsel on either side.

3. Earlier the matter was referred to the mediation centre and a failure report dated 30.01.2015 has been received. On 16.02.2014, this Court directed the petitioners to hand over all the articles belonging to the defacto complainant to the police.

4. Today, the police have filed a status report, in which, in paragraph No.4, it is stated as follows:-

"I submit that on 16.02.2015 the petitioners seek further time for compliance the order of this Court. On 16.02.2015 the entire house hold articles were handed over to the defacto complainant and the list of articles were checked up by the defacto complainant. Further the gold jewels are already in the hands of the defacto complainant. The first petitioner also appeared before me from 10.02.2015 to 16.02.2015."



5. In such circumstances, relying upon the Judgment of the Hon'ble Supreme Court in *Arnesh Kumar Vs. State of Bihar* reported in 2014 (8) Scale 250, this Court is inclined to grant Anticipatory Bail to the petitioners.

6. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen (15) days from the date of receipt of a copy of this order, before the learned Judicial Magistrate/Additional Mahila Court, Madurai, on condition that the petitioners 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 first petitioner shall report before the respondent police daily at 10.30 a.m. for a period of two weeks and thereafter as and when required for interrogation and the petitioners 2 and 3 shall appear 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 petitioners 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/-

23/02/2015

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)

TO

- 1 THE JUDICIAL MAGISTRATE, /ADDITIONAL MAHILA COURT, MADURAI
- 2 THE INSPECTOR OF POLICE ALL WOMEN POLICE STATION,
THIRUPPARANKUNDRAM, MADURAI.
- 3 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.DR.R.MANOCHARAN Advocate SR.No.8110

ORDER

IN

CRL OP(MD) No.19440 of 2014

Date :23/02/2015