



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

Monday, the Ninth day of March Two Thousand Fifteen

PRESENT

THE HON`BLE MR JUSTICE P.N.PRAKASH

CRL OP(MD) No.2055 of 2015

1 P.JEYAPANDIYAN
2 K.PANDIYAN
3 TMT.LAKSHMI
4 TMT.DEVI
5 TMT.SATHIYA

... PETITIONERS/ACCUSED RANK NOT KNOWN

Vs

THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION, NILAKOTAI,
DINDIGUL DISTRICT.
CR.NO.NOT KNOWN OF 2015.

... RESPONDENT COMPLAINANT

For Petitioner : M/S.T.K. GOPALAN 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 :-

Heard the learned counsel for the petitioners.

2. No regular case has been registered and only a petition enquiry in CSR.No.3 of 2015 is pending. Today, the respondent police filed a status report in which they have stated that the first petitioner Jeyapandian is in military service and posted at Goa. The other petitioners are the relatives of Jeyapandian. It is also stated that the first petitioner is ready and willing to take back his wife and child. It is also stated by the police that the petitioners have handed over the certificates of the de-facto complainant and 7 1/2 sovereigns of jewelery belonging to her.

3. Taking into consideration the facts and circumstances of the case and relying upon the judgment of the Supreme Court in *Arnesh Kumar vs. State of Bihar and Another* reported in (2014) 3 MLJ (Crl) (SC), this Court is of the view that this is a fit case for granting 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 Judicial Magistrate, Nilakottai, on their executing 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.

<https://hcservices.ecourts.gov.in/hcservices/>

[b] the petitioners shall give their thumb impressions, specimen signatures and handwritings.



[c] the petitioners shall not tamper with evidence or witness either during investigation or trial.

[d] the petitioners shall not abscond either during investigation or trial.

[e] 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/-
09/03/2015

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

TO

1. THE JUDICIAL MAGISTRATE,
NILAKOTTAI.
2. -DO- THRO THE CHIEF JUDICIAL MAGISTRATE,
DINDIGUL.
3. THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION, NILAKOTAI,
DINDIGUL DISTRICT.
4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.T.K. GOPALAN Advocate SR.No. 11396

SR : 12.03.2015 : 2P/6C

ORDER
IN
CRL OP(MD) No.2055 of 2015
Date :09/03/2015