



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

Friday, the Ninth day of January Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice P.N.PRAKASH

CRL OP (MD) No.23945 of 2014

1 S.IRUDAYASAMY
2 I.RAJAN
3 GEORGE BRITTO
4 MARIA BANU

... PETITIONERS/ACCUSED RANK NOT KNOWN

Vs

STATE REP BY
THE INSPECTOR OF POLICE,
DEVAKOTTAI, SIVAGANGAI DISTRICT.
(CRIME NO.18/2014)

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.S.K.MANI, Advocate

For Respondent : MR.A.P.BALASUBRAMANIAN, Govt. Advocate (Crl. Side)

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

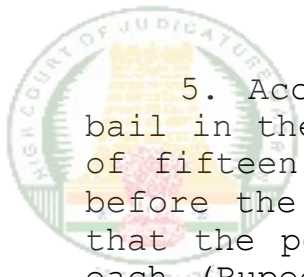
ORDER : The Court Made the following order :-

The petitioners, who apprehend arrest at the hands of the respondent police for the alleged offences punishable under Sections 498(A), 420, 294(b), 323, r/w Section 506(ii) of the Indian Penal Code in Crime No.18 of 2014 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that the third petitioner had a love affair with the *de facto* complainant. Even though the third petitioner belongs to different community, he married her on 21.04.2014. At the time of marriage, the *de facto* complainant returned all the jewelleries to her parents and lived with him. Thereafter, there appears to be misunderstanding between them and therefore, the parents had taken back the *defacto* complainant to their home and on the basis of a direction issued by the learned Judicial Magistrate concerned, on an application filed by the *de facto* complainant, this case has been registered by the police.

3. The Investigating Officer is present in Court.

4. Considering the above facts and circumstances of the case, this Court is inclined to grant Anticipatory Bail to the petitioners.



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, Devakottai**, on condition that the petitioners shall execute a bond for a sum of Rs.10,000/- each (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 twice a day at 10:30 in the morning and 06:30 in the evening for a period of two weeks and thereafter 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 Judicial 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 Judicial 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/-

09/01/2015

/ TRUE COPY /

**(*) AMENDED AS PER ORDER OF THIS
COURT DATED 2.3.15 MADE IN MP 1/15
IN CRL.OP(MD)NO.23945/15.**

Sub-Assistant Registrar (C.S.)

TO

- 1 THE JUDICIAL MAGISTRATE, DEVAKOTTAI.
- 2 -DO-THRO' THE CHIEF JUDICIAL MAGISTRATE, SIVAGANGAI.
- 3 THE JUDICIAL MAGISTRATE NO.VI,TIRUCHIRAPALLI
- 4 -DO-THRO' THE CHIEF JUDICIAL MAGISTRATE,TIRUCHIRAPALLI
- 5 THE INSPECTOR OF POLICE,DEVAKOTTAI, SIVAGANGAI DISTRICT.
- 6 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,MADURAI.

ORDER IN

CRL OP(MD) No.23945 of 2014

Date :09/01/2015

AA/19.01.2015/2p- 6c/
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