



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

Wednesday, the Twenty Fifth day of February Two Thousand Fifteen

PRESENT

THE HON`BLE MR JUSTICE P.N.PRAKASH

CRL OP(MD) No.3336 of 2015

1 HASAN ALI
2 YOUSF
3 VISIRIYA
4 PARVEEN
5 FIRTHOUS
6 MUJIBUR

... PETITIONERS NO.1-6/ACCUSED A1-A5 & A7

Vs

THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION,
ARANTHANGI POLICE STATION,
PUDUKKOTTAI DIST, CR.NO.2/2015

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.S.A.S.ALAUDEEN Advocate

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

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

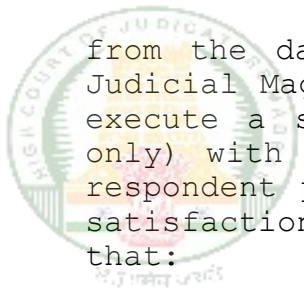
ORDER : The Court Made the following order :-

The petitioners, who apprehend arrest at the hands of the respondent police for the alleged offences punishable under Sections 147, 294(b), 446, 352, 417 IPC and Section 4 of TNPWH Act and Section 4 of Dowry Prohibition Act, in Crime No.2 of 2015, on the file of the respondent police, seek anticipatory bail.

2. Heard the leaned counsel for the petitioners and the learned Government Advocate (Criminal side) for the respondent.

3. This case has been registered, pursuant to the directions issued by the learned Judicial Magistrate, Aranthangi, under Section 156(3) of the Code of Criminal Procedure. The learned counsel for the petitioners brought to my notice that the same *defacto* complainant has lodged a complaint against these petitioners before the Mimisal Police Station in Pudukkottai District, based on which, a case in Crime No.189 of 2014 for offences under Sections 147, 448, 294(b) and 323 IPC has been registered. Suppressing the same, she has approached the learned Judicial Magistrate, Aranthangi and on whose directions, the present case has been registered. It is the case of the *defacto* complainant that the first petitioner was in love with her and he promised to marry her and thereafter, the first petitioner and his family members reneged from the promise. There is no allegation that the first petitioner had physical relationship with her.

4. Taking into consideration the over-all facts and circumstances of the case, the court is inclined to grant 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, Aranthangi, on condition that the petitioners shall execute 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 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/-
25/02/2015

/ TRUE COPY /

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

TO

1. THE JUDICIAL MAGISTRATE, ARANTHANGI.
 2. -DO- THRO THE CHIEF JUDICIAL MAGISTRATE,
PUDUKOTTAI.
 3. THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION, AAVUDAIYAR KOVIL,
PUDUKKOTTAI DISTRICT.
 4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- +1. CC to M/S.S.A.S.ALAUDEEN Advocate SR.No. 8784
- SR : 02.03.2015 : 2P/6C

ORDER
IN
CRL OP(MD) No.3336 of 2015
Date :25/02/2015