



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

Thursday, the Fifth day of February Two Thousand Fifteen

PRESENT

The Hon'ble Mr Justice P.N.PRAKASH

CRL OP(MD) No.393 of 2015

1 PRAKASH  
2 DURAISAMY  
3 SAVITHRI

... PETITIONER(S) / ACCUSED

Vs

THE STATE REP. BY THE INSPECTOR OF POLICE  
ALL WOMEN POLICE STATION, VADAMADURAI,  
CRIME NO.NOT KNOWN OF 2014

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.V.A.SAMAYAVASU Advocate

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

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

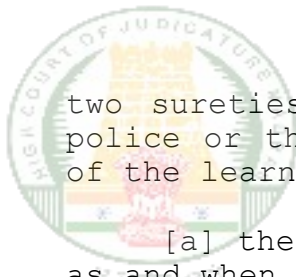
ORDER : The Court Made the following order :-

Apprehending arrest at the hands of the respondent police in Crime No.not known of 2015, on the file of the respondent police for offences under Sections 294(b), 498(A) of the Indian Penal Code, the petitioners are now before this Court seeking Anticipatory Bail.

2. On 22.01.2015, this Court granted anticipatory bail to the petitioners, since the crime number was not known with the direction to the petitioners to appear before the respondent police. Today, the police is present.

3. On instructions, the learned Government Advocate (Crl. Side) submits that the petitioners did appear before the respondent police and the first petitioner assured that he will take back the de-facto complainant and after making such assurance, he did not keep up the promise. Under such circumstances, this petition is dismissed as against the first petitioner. Since the allegations are not very serious, 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 2 and 3, but with conditions.

4. Accordingly, the petitioner is 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, Vedachandur, Dindigul District, 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 petitioners 2 and 3 shall report before the respondent police as and when required for interrogation.

[c] the petitioners 2 and 3 shall not tamper with evidence or witness either during investigation or trial.

[d] the petitioners 2 and 3 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 2 and 3 in accordance with law as if the conditions have been imposed and the petitioners 2 and 3 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]. Petition dismissed against first petitioner.

sd/-  
05/02/2015

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)

TO

- 1 THE JUDICIAL MAGISTRATE, VEDACHANDUR, DINDIGUL
- 2 -Do- Through THE CHIEF JUDICIAL MAGISTRATE, DINDIGUL.
- 3 THE ADDL PUBLIC PROSECUTOR  
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- 4 THE INSPECTOR OF POLICE  
ALL WOMEN POLICE STATION, VADAMADURAI.

TS/11.02.2015/2P-5C

ORDER  
IN  
CRL OP(MD) No.393 of 2015  
Date :05/02/2015