



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

Thursday, the Twenty Sixth day of March Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice P.N.PRAKASH

CRL OP(MD) No.4380 of 2015

1 N. MUGESH KANNAN

2 M. NEELAKANDAN

3 N. RAJESWARI

4 N. ANITHA DEVI

... PETITIONERS/ACCUSED RANK NOT KNOWN

Vs

THE INSPECTOR OF POLICE

ALL WOMEN POLICE STATION, THANJAVUR DISTRICT,

CRIME NO.NOT KNOWN OF 2015

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.JANA ALIAS B.JANATH AHMED Advocate

For Respondent : M/S.A.P.BALASUBRAMANIAN

Govt. Advocate (Crl. Side)

For Intervenor : M/S.A.THIRUVADIKUMAR, Advocate

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 an alleged offence punishable under Sections 498(A) IPC and Section 4 of Dowry Prohibition Act in Crime No.Not known of 2015, seek anticipatory bail.

2. Heard the learned counsel for the petitioners, the learned Government Advocate (Crl. side) appearing for the respondent and the learned counsel appearing for the intervenor. The respondent police is present.

3. Since only petition enquiry in C.S.R.No.44 of 2015 is being conducted by the police, this Court granted interim anticipatory bail to the petitioners on 10.03.2015 with a direction to the first petitioner to appear before the respondent at 05.00 p.m every day and hand over all the jewellery and articles to the defacto complainant through the police. Today the learned counsel for the petitioners and the learned counsel for the defacto complainant submit that the petitioners have handed over the articles to the defacto complainant.



4. Under such circumstances, this Court is inclined to grant anticipatory bail to the petitioners.

5. In the event of the police registering a regular case, the petitioners need not apply for fresh anticipatory bail.

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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 days from the date of receipt of a copy of this order, before the learned Judicial Magistrate No.I, Thanjavur, on condition that each of the petitioner shall 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 petitioners shall appear 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/-

26/03/2015

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

TO

1.THE JUDICIAL MAGISTRATE NO. I, THANJAVUR

2.DO THROUGH THE CHIEF JUDICIAL MAGISTRATE
THANJAVUR DISTRICT AT KUMBAKONAM

3.THE INSPECTOR OF POLICE

ALL WOMEN POLICE STATION, THANJAVUR DISTRICT

4.THE ADDL PUBLIC PROSECUTOR

MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.JANA ALIAS B.JANATH AHMED Advocate SR.No.14937

+One cc to M/S.A.THIRUVADIKUMAR, Advocate, SR.No.14885

RL/7C - 30/3/2015

ORDER

IN

CRL OP(MD) No.4380 of 2015

Date :26/03/2015