



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.5132 of 2015

1 P.SARAVANAN
2 S.PALANISAMY
3 P.ANUSUYA DEVI

... PETITIONERS/ACCUSED RANKS NOT KNOWN

C.KARPAGAVALLI

... INTERVENOR

Vs

THE STATE REPRESENTED BY
INSPECTOR OF POLICE
ALL WOMEN POLICE STATION,
SIVAKASI, VIRUDHUNAGAR DISTRICT,
(CRIME NO. NOT KNOWN OF 2015)

... RESPONDENT/ COMPLAINANT

For Petitioner : M/S.B.ROOBAN Advocate

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

Govt. Advocate (Crl. Side)

For Intervenor : M/S.S.M.ANANTHA MURUGAN, 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 the alleged offence punishable under Section 498(A) of Indian Penal Code, in Crime No. Not known of 2015 on the file of the respondent police, seek anticipatory bail.

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

3. Since no regular case was registered and only petition enquiry was pending, this Court granted interim anticipatory bail on 19.03.2015, to the petitioners with a direction to the petitioners to hand over the articles referred to in page No.18 of the typed-set of papers filed by the petitioners, to the *defacto* complainant.



4. Today, the respondent police is present. The learned Government Advocate (Criminal side), on instructions from respondent police, submits that the petitioners have handed over the articles to the *defacto* complainant on 21.03.2015, which fact is accepted by the learned counsel appearing for the *defacto* complainant also.

5. In the aforesaid circumstances, this 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, Sivakasi, 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 first petitioner shall report before the respondent police daily at 06.30 p.m., for a period of two weeks and thereafter, as and when required for interrogation. The second and third 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]**.

[e] The Inspector of Police concerned is directed to send a compliance report to the Office of the learned Government Advocate (Criminal side), whether the first petitioner is complying with the order or not.

6. In the event of the respondent police registering a regular case, this anticipatory bail order will enure to the benefit of the petitioners and they need not have to file fresh application for anticipatory bail.

7. The learned counsel for the petitioners as well as the learned counsel for the *defacto* complainant submit that the matter may be referred to the Tamil Nadu Mediation and Conciliation Centre, attached to this Bench. Their submission is recorded and the first petitioner and the *defacto* complainant are directed to appear before the Tamil Nadu Mediation and Conciliation Centre, attached to this Bench, on 01.04.2015 at 02.00 p.m. The Tamil Nadu Mediation and



Conciliation Centre, attached to this Bench, is directed to complete the mediation process and submit a report to this Court.

sd/-
26/03/2015

WEB COPY

/ TRUE COPY /

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

TO

1. THE CO-ORDINATOR
MEDIATION AND CONCILIATION CENTRE
MADURAI BENCH OF MADRAS HIGH COURT
MADURAI
2. THE JUDICIAL MAGISTRATE-
SIVAKASI
3. DO THROUGH THE CHIEF JUDICIAL MAGISTRATE
VIRUDHUNAGAR DISTRICT AT SRIVILLIPUTHUR
4. THE ADDL. PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
5. THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION, SIVAKASI, VIRUDHUNAGAR DISTRICT,

+1. CC to M/S.B.ROOBAN Advocate SR.No.15267
RL/7C - 30/3/2015

ORDER
IN
CRL OP (MD) No.5132 of 2015
Date : 26/03/2015