



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

Thursday, the Twenty First day of May Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice V.S.RAVI

CRL OP(MD) No.5166 of 2015

GANESH KUMAR

... PETITIONER/ACCUSED No.1

Vs

STATE REP BY THE INSPECTOR OF POLICE
SRIRENGAM ALL WOMEN POLICE STATION,
TRICHY DISTRICT. CR. NO.15/2014. ... RESPONDENT/COMPLAINANT

T.DEEPA

... INTERVENOR

For Petitioner : M/S.K.J.ASSOCIATES Advocate
For Respondent : MR.A.P.BALASUBRAMANI Govt. Advocate (Crl. Side)
For Intervenor : MR.T.SENTHILKUMAR Advocate

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

ORDER : The Court Made the following order :-

This is an application filed by the petitioner/accused No.1 to grant anticipatory bail in Crime No.15 of 2014 on the file of the respondent Police for the alleged offences under Sections 494, 495, 420 and 506(i) of the Indian Penal Code.

2. It is stated in the petition that on 23.08.2014 at about 12.30 hours one Deepa lodged a complaint before the respondent Police and on 20th May, 2013, the marriage between the defacto complainant and the petitioner solemnized. Further, it is stated in the petition that the allegation levelled against the petitioner is not correct and earlier, the petitioner moved for anticipatory bail along with accused Nos.2 and 3 before this Court in Crl.O.P(MD) No.16041 of 2014 and the matter has been referred for mediation and also the mediation is failed, as the defacto complainant has not come forward to settle the dispute amicably. Further, it is stated in the petition that the petitioner is having permanent residence in the petition mentioned address and he will not evade the due process of law and he is willing to furnish sureties for his appearance and the petitioner has got a *prima facie* case to get anticipatory bail and a copy of the First Information Report in Crime No.15 of 2014 has been filed.



3. The learned counsel for the Intervenor has opposed the petition, as there is no bona fide in the action of the petitioner in filing the petition for anticipatory bail.

4. The learned Government Advocate (Criminal Side), on instructions from the respondent Police, reported that the investigation is almost over in this matter and only final report has to be filed in Crime No.15 of 2014 and also requested to impose stringent conditions for granting anticipatory bail to the petitioner.

5. Considering the above mentioned facts and circumstances, it is found that there is a *prima facie* case to grant anticipatory bail to the petitioner with conditions and accordingly;

(a) In the event of arrest or on appearance before the respondent police; or

(b) In the event of appearance before the learned Judicial Magistrate No.III, Tiruchirappalli within fifteen days from the date of receipt of a copy of this order;

(i) The petitioner shall be enlarged on bail on his executing a bond for Rs.10,000/- (Rupees Ten Thousand Only) with two sureties for the like sum to the satisfaction of the learned Judicial Magistrate No.III, Tiruchirappalli.

(ii) The petitioner shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the fact of the case so as to dissuade him from disclosing such facts to the Court or to any police officer;

(iii) The petitioner shall be available for interrogation by the respondent police daily at 5.30 p.m. Until further orders.

6. The petitioner shall appear before the concerned Magistrate within a period of fifteen days from the date on which the order copy made ready, failing which, the petition for anticipatory bail stands dismissed.

sd/-
21/05/2015

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)

TO

- 1 THE JUDICIAL MAGISTRATE NO.III, TIRUCHIRAPALLI
 - 2 THE CHIEF JUDICIAL MAGISTRATE, TIRUCHIRAPALLI
 - 3 THE INSPECTOR OF POLICE,
SRIRENGAM ALL WOMEN POLICE STATION, TRICHY
 - 4 THE ADDL PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- +1. CC to M/S.K.J.ASSOCIATES Advocate SR.No.26046

ORDER
IN
CRL OP(MD) No.5166 of 2015
Date : 21/05/2015