



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

Wednesday, the Ninth day of March Two Thousand Sixteen

PRESENT

The Hon`ble Mr.Justice P.N.PRAKASH

CRL OP(MD) No.19577 of 2015

1 MAHALINGAM
2 KARUPPAYEE

... PETITIONERS/ACCUSED 1 & 2

Vs.

STATE REP.BY
THE INSEPECTOR OF POLICE
ALL WOMEN POLICE STATION,
VADAMADURAI, DINDIGUL,
CRIME NO.19/2015

... RESPONDENT/COMPLAINANT

For Petitioners : M/S.B.JAMEEL ARASU Advocate
For Respondent : MR.A.P.BALASUBRAMANI,
Govt. Advocate (Crl. Side)

PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.
ORDER : The Court Made the following order :-

The petitioners, who apprehended arrest at the hands of the respondent Police for the alleged offences punishable under Sections 493, 506(i) I.P.C., in Crime No.19 of 2015, on the file of the respondent Police, seek anticipatory bail.

2. Heard Mr.B.Jameel Arasu, learned counsel appearing for the petitioners / accused 1 and 2 and Mr.A.P.Balasubramani, learned Government Advocate (Criminal Side) appearing for the State.

3. It is seen that this Court, by Order dated 09.10.2015, referred this matter to the Mediation and Conciliation Centre, attached to this Bench, to find out the possibility of settlement and granted interim anticipatory bail to the petitioners / accused 1 and 2. It appears that the parties are not able to arrive at amicable settlement and the Mediation Centre has also sent a Report, dated 07.01.2016, to that effect.

4. Taking into consideration the nature of allegations made against the petitioners / accused 1 and 2, this Court is of the view that this is a fit case to grant anticipatory bail to them. Accordingly, they 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, Natham, on condition that each of the petitioners / accused 1 and 2 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 to the Police Officer, who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further condition that:

- (i) the petitioners / accused 1 and 2 shall report before the respondent Police as and when required for interrogation.
- (ii) the petitioners / accused 1 and 2 shall not tamper with evidence or witness either during investigation or trial.
- (iii) the petitioners / accused 1 and 2 shall not abscond either during investigation or trial.
- (iv) On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioners / accused 1 and 2 in accordance with law as if the conditions have been imposed and the petitioners / accused 1 and 2 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]**.

5. The Inspector of Police concerned is directed to send a compliance report to the office of the learned Government Advocate, as to whether the petitioners are complying with the conditions or not.

sd/-
09/03/2016

/ TRUE COPY /

Sub-Assistant Registrar

TO

- 1 THE JUDICIAL MAGISTRATE, NATHAM.
- 2 -DO- THRO' THE CHIEF JUDICIAL MAGISTRATE, DINDIGUL DISTRICT.
- 3 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- 4 THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION, VADAMADURAI, DINDIGUL.

+1. CC to M/S B.JAMEEL ARASU Advocate SR.No.13354

akm/11.03.2016/2p-6c/MP/AN/SAR-I

ORDER
IN
CRL OP(MD) No.19577 of 2015
Date :09/03/2016