



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

Thursday, the Twenty Second day of February Two Thousand Eighteen

PRESENT

The Hon`ble Mr.Justice R.PONGIAPPAN

CRL OP(MD) No.15753 of 2017

RAJAGOPAL

... PETITIONER / SOLE ACCUSED

Vs

STATE REPRESENTED BY
THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION,
KODAIKANAL,
DINDIGUL DISTRICT.
(Crime No.4 of 2017)

... RESPONDENT/ COMPLAINANT

For Petitioner : Mr.A.THIRUVADIKUMAR Advocate

For Respondent : Mr.A.ROBINSON, Govt. Advocate (Crl. Side)

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

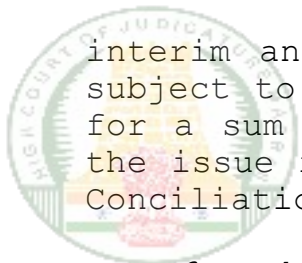
ORDER : The Court Made the following order :-

The petitioner/Sole Accused, who apprehends arrest at the hands of the respondent police for the offences under Sections 406, 409, 420, 294(b) & 506(ii) I.P.C., in Crime No.4 of 2017, seeks anticipatory bail.

2.The case of the prosecution is that the defacto complainant is the wife of the petitioner. The petitioner is having illegal intimacy with another girl, when the same was questioned by the defacto complainant, the petitioner tortured the defacto complainant. Further, the petitioner had obtained a sum of Rs.24,43,300/- from the defacto complainant's father and he did not repay the same. Hence, a case has been registered for the above said offence.

3.The learned counsel appearing for the petitioner submitted that the petitioner is an innocent person, he has been falsely implicated in this case , further added that he has not involved in the alleged occurrence. He is no way connected with the offences alleged and hence prays for anticipatory bail.

4.The learned Government Advocate (Crl.side) appearing for the State submitted that investigation is still pending.



interim anticipatory bail was granted in favour of the petitioner subject to the condition that the petitioner shall execute the bond for a sum of Rs.25,000/-. While so, at the time of passing order, the issue related to the petition was referred to the Mediation and Conciliation Centre attached to this Bench for amicable settlement.

6.A bare perusal of records would show that the learned Mediator, Tamil Nadu Mediation and Conciliation Centre, Madurai Bench of Madras High Court, sent a letter to this Court, in which, it was stated that inspite of notice issued to the respondent, they did not appear before the Mediation and Conciliation Centre and therefore the Mediation could not be conducted. So, the reply sent by the Mediator shows that the defacto complainant is not interested in settling the issues. Accordingly, this Court comes to the conclusion that there is no reason to interfere with the order passed by this Court in Crl.O.P(MD).No.15753 of 2017, dated 04.01.2018. Hence, this petition is allowed and the order passed in this Criminal Original Petition is made absolute.

sd/-
22/02/2018

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE
KODAIKANAL.
 - 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE
DINDIGUL DISTRICT
 - 3 THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION,
KODAIKANAL, DINDIGUL DISTRICT.
 - 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI
- +1. CC to M/S.A.THIRUVADIKUMAR Advocate SR.No.2931

MSA
JAM/CM-VR/SAR-2/02/03/2018 : 2P - 6C

ORDER
IN
CRL OP(MD) No.15753 of 2017
Date :22/02/2018