



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 05/07/2019

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PRESENT

The Hon`ble Mr.Justice P.RAJAMANICKAM

CRL OP(MD) . No.8978 of 2019

1. Sanchaiyan
2. S.Savadan
3. S.Balamurugan

... Petitioners/Accused Nos.1, 3 & 4

Vs

State Rep.by
The Inspector of Police,
All Women Police Station,
Nilakottai,
Dindigul District.
(Crime No.9 of 2019).

... Respondent/Complainant

For Petitioners: M/s.A.Saravanan,
Advocate.

For Respondent : M/s.M.Ananthadevi,
Government Advocate (Crl.Side)

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

PRAYER :-

For Anticipatory Bail in Crime No.9 of 2019 on the file of the respondent Police.

ORDER : The Court Made the following order :-

The petitioners, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 498 (A), 294 (b) and 506(ii) IPC and Section 4 of Dowry Prohibition Act, 1961, in Crime No.9 of 2019, seek anticipatory bail.

2. Heard both sides.

3.The learned counsel appearing for the petitioners has submitted that the petitioners are innocent persons and they have been falsely implicated in this case. Even as per the FIR, the first petitioner got married the defacto complainant without the knowledge of their parents and the marriage was registered before the Registrar, District Registrar Office, Coimbatore. He further submitted that the matter has been settled between the defacto



complainant and the petitioners before the mediation, and therefore, he prayed for grant of anticipatory bail to the petitioners.

4.Per contra, the learned Government Advocate (Criminal Side) appearing for the respondent has submitted that the matter has been settled between the petitioners and the defacto complainant before the Mediation on 03.07.2019. Hence, this Court may grant anticipatory bail to the petitioners.

5.As per the order passed by this Court dated 27.06.2019, the matter was referred to Mediation. Accordingly, the parties appeared before the Mediation and Conciliation Centre attached to this Bench and a report was received from the Mediation and Conciliation and in the said report it is stated that the matter has been settled between the defacto complainant and the petitioners. Considering the same, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

8. 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, Nilakottai, Dindigul District, on condition that the petitioners shall execute a bond for a sum of Rs.10,000/- (Rupees ten thousand only) each 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) If the petitioners fail to surrender before the concerned Magistrate within a period of 15 days, this order shall stand automatically cancelled.

(ii) the petitioners shall report before the respondent police daily at 10.30 a.m for a period of three weeks and thereafter, as and when required before the respondent police for interrogation.

(iii) the petitioners shall not tamper with evidence or witness either during investigation or trial.

(iv) the petitioners shall not abscond either during investigation or trial.

(v) 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].



(vi) If the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

sd/-

05/07/2019

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

TO

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

+1. CC to M/S.A.SARAVANAN Advocate SR.No.11196

ORDER

IN

CRL OP (MD) No.8978 of 2019

Date :05/07/2019

MS/PN/SAR-2/11.07.2019/3P.6C