



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 11/07/2019

WEB COPY

PRESENT

The Hon'ble Mr.Justice P.RAJAMANICKAM

CRL OP(MD) . No.8792 of 2019

Mathubalan

... Petitioner/Accused No.1

- Vs-

State Rep.by
The Inspector of Police,
All Women Police Station,
Thiruvarambur, Trichy District.
Crime No.3 of 2019.

... Respondent/Complainant

For Petitioner : M/s.N.R.Murugesan,
Advocate.

For Respondent : Mrs.M.Anantha Devi,
Government Advocate (Crl.Side)

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

PRAYER :-

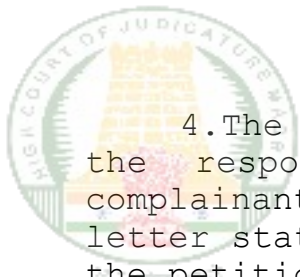
For anticipatory bail in cr.no.3 of 2019 on the file of the respondent police.

ORDER : The Court Made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 417, 376, 294(b) and 506(i) of IPC in Crime No.3 of 2019, seeks anticipatory bail.

2. Heard both sides.

3.At the request of the learned counsel appearing for the petitioner, this Court has referred the matter to the Mediation with a direction that the parties shall appear before the Mediation and Conciliation Centre attached to this Court on 08.07.2019. The Mediator has sent a report stating that on 10.07.2019, both the parties appeared before him and the defacto complainant namely P.Nagajothi gave a letter stating that she is willing to withdraw the complaint which is pending before the respondent Police in Crime No.3 of 2019. He also enclosed the said letter.



4. The learned Government Advocate (Crl. Side) appearing for the respondent Police has fairly conceded that the defacto complainant has appeared before the Mediation Centre and submitted a letter stating that she is willing to withdraw the complaint against the petitioner.

5. Considering the aforesaid facts, this court is inclined to grant anticipatory bail to the petitioner by imposing certain conditions.

6. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the Additional Mahila Court, Trichy, on condition that the petitioner 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) If the petitioner fails to surrender before the concerned Magistrate within a period of 15 days, this order shall stand automatically cancelled.

(ii) the petitioner 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 petitioner shall not tamper with evidence or witness either during investigation or trial.

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

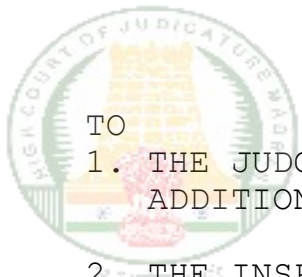
(v) On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the conditions have been imposed and the petitioner released on bail by the learned Magistrate/Trial Court himself as laid down 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/-
11/07/2019

/ TRUE COPY /

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



TO

1. THE JUDGE,
ADDITIONAL MAHILA COURT, TRICHY.

2. THE INSPECTOR OF POLICE, ALL WOMEN POLICE STATION,
THIRUVARAMBUR, TRICHY DISTRICT.

3. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.N.R.MURUGESAN Advocate SR.No.74791

ORDER

IN

CRL OP(MD) No.8792 of 2019

Date :11/07/2019

MS/VR/SAR-4/17.07.2019/3P.5C