

Crl.O.P.No.3753 of 2021

V.BHARATHIDASAN,J.,

ORDER

(The case has been heard through video conference)

This matter is taken up for hearing under the caption “For Being Mentioned” today at the instance of the learned counsel for the petitioners.

2. The learned counsel for the petitioners submitted that in Crl.O.P.No.3753 of 2021, dated 31.03.2021, in paragraph 4 of the order, the name of the counsel for the petitioners is wrongly mentioned as "*T.Arul*" instead of "*S.Vinod*" . .

3. Considering the above submission, the name of the counsel for the petitioner in paragraph No.4 of the said order is ordered to be corrected as "*S.Vinod*" .

4. The other conditions remain unaltered.

5. Registry is directed to incorporate above correction in the Order of this Court in Cr.O.P.No.3753 of 2021 dated 31.03.2021 and issue fresh order copy to the petitioners.

6. Time is extended for a further period of two weeks for executing the sureties, from the date of receipt of a copy of this Order.

28.04.2021

mrp

Note: Issue order copy on 29.04.2021

Crl.O.P.No.3753 of 2021

V.BHARATHIDASAN, J.

mrp

Crl.O.P.No.3753 of 2021

28.04.2021

Crl.O.P.No.3753 of 2021

V.BHARATHIDASAN,J.

The petitioners, who apprehends arrest for the alleged offences under Sections 448,323, 365, 109, 34 of I.P.C, in Crime No. 9 of 2021, on the file of the respondent/Police, seek anticipatory bail.

2. The case of the prosecution is that the defacto complainant is the son of the victim and the first and second petitioners are brother and mother of the victim respectively and the third petitioner is the friend of the first petitioner. It is alleged that the petitioners forcibly abducted

the mother of the defacto complainant and illegally confined her in Bangalore. Hence the complaint.

3. Earlier when the matter taken up hearing on 11.03.2021 this Court had referred the matter to Mediation center attached to this Court.

4. Today when the matter is taken up for hearing Mr.T.Arul the learned counsel for the petitioner and Mr.R. John Sathyan, learned counsel for the intervenor submitted that the matter has been settled between the parties and the victim had joined her family.

5. The learned counsel for the petitioner produced the Mediation report and the learned counsel for the intervenor would submit that the matter has been settled.

6.I have considered the rival submissions and perused the records.

7. Considering the facts and circumstances of the case and also

the fact that there was some family dispute between the parties and the issue has been amicably settled between the parties through mediation, this Court is inclined to grant anticipatory bail to the petitioners with some conditions.

8. Accordingly, the petitioners are ordered to be released on bail in their event of arrest or on their appearance, within a period of fifteen days from the date on which the order copy made ready, before the Judicial Magistrate III, Puducherry 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 the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned, failing which this petition for anticipatory bail shall stand dismissed and on further condition that:

[a] the petitioners and the sureties shall affix his photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity.

[b] the petitioners shall report before the respondent police as and when required for interrogation.

[c] the petitioners shall not tamper with evidence or witness either during investigation or trial.

[d] the petitioners shall not abscond either during investigation or trial.

[e] 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]**.

[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 229 A IPC.

With the above directions this Criminal Original petition is ordered. Consequently the connected miscellaneous petition is dismissed as not pressed.

31.03.2021

Internet: Yes/No

smn

V.BHARATHIDASAN ,J.

smn

To

1. The Judicial Magistrate III, Puducherry

2. The Inspector of Police,

Reddiyar Palayam Police Station

Puducherry state.

3.The Public Prosecutor,

High Court, Madras.

Crl.O.P.No.3753 of 2021

31.03.2021

