



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.12.2021

CORAM

THE HONOURABLE MRS. JUSTICE T.V.THAMILSELVI

CRL.O.P.No.24997 of 2021

1.Ramkumar
2.Vasanthraj
3.Durai

... Petitioners

Versus

State Rep by
Sub Inspector of Police,
Naduveerapattu Police Station,
Cuddalore District.
(Crime No.476 of 2021)

... Respondent

Prayer:- Criminal Original Petition filed under Section 438 of the Code of Criminal Procedure seeking to enlarge the petitioners on bail in the event of their arrest in Crime No.476 of 2021 pending investigation on the file of the respondent police.

For Petitioners : Mr.N.Suresh

For Respondent : Mr.A.Gokulakrishnan
Additional Public Prosecutor

ORDER

The petitioners, who apprehend arrest at the hands of the respondent police for the alleged offences Under Sections 294(b), 341, 420, 506(ii) IPC, in Crime No.476 of 2021 seeks anticipatory bail.

2. The case of the prosecution is that the defacto complainant is the husband of 1st petitioner's sister. There was matrimonial dispute between the defacto complainant and his wife. It is alleged that the defacto complainant had lent Rs.1.04 crores to A1. Thereafter A1 did not returned the money. Hence, the defacto complainant lodged a complainant against the petitioners.

3.The learned counsel appearing for the petitioners submitted that the petitioners have not committed any offence as alleged by the prosecution and they have been falsely implicated in this case. He further submit that with regard to family dispute between the defacto



complainant and his wife he gave a false complaint against the petitioners. Hence, he prays for grant of anticipatory bail.

4. The learned Additional Public Prosecutor submits that the that this matter may be referred to Mediation Centre for amicable settlement.

5. Considering the facts and circumstances of the case and also considering that it is purely a family dispute, this Court is inclined to grant anticipatory bail to the petitioners and further the matter is referred to the Mediation and Conciliation Centre at Cuddalore for the purpose of solving the issue between the first petitioner and the defacto complainant for three sittings.

6. 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 *Judicial Magistrate No.1, Cuddalore* on condition that the petitioners 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 the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further condition that:

(a) the petitioners and the sureties shall affix their photographs and left thumb impression in the surety bond and the Court concerned may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

(b) the petitioners shall appear before the respondent on every Wednesday at 10.30.a.m., until further orders.

(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]; and;



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

WEB COPY

-sd/-
20/12/2021

This order, on being produced, be punctually observed and carried into execution by all concerned
TRUE COPY

Sub-Assistant Registrar (Statistics/C.S.)
High Court, Madras - 600 104.

TO

1 THE JUDICIAL MAGISTRATE,
NO.I, CUDDALORE.

2 THE CHIEF JUDICIAL MAGISTRATE
CUDDALORE DISTRICT. [FOR INFORMATION]

3 THE SUB INSPECTOR OF POLICE,
NADUVEERAPATTU POLICE STATION,
CUDDALORE DISTRICT.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

5 THE MEDIATION AND CONCILIATION CENTRE,
CUDDALORE DISTRICT.

6 THE ASSISTEANT REGISTRAR
TAMIL NADU MEDIATION AND CONCILIATION CENTRE,
HIGH COURT, MADRAS.

+1CC to M/S.N.SURESH Advocate on payment of necessary charges
SR.NO.15195

CRL OP.24997/2021

Date :20/12/2021

CSK 03/01/2022