



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 16/08/2021

WEB COPY

PRESENT

The Hon`ble Mr.Justice B.PUGALENDHI

CRL OP(MD) . No.2617 of 2021

1.S.Zulfiqar Ali Baig
2.S.Shah Navas Baig
3.S.Fathima Jinnah
4.N.Rizwana Begum

... Petitioners/Accused Nos.1,2,3 & 5

Vs

State rep.by
The Inspector of Police
All Women Police Station
Thilagarthidal
Madurai District
Crime No.6 of 2021

... Respondent/Complainant

For Petitioners :M/s.Balaji, S, Advocate.

For Respondent : M/s.P.Kottai Chamy,
Government Advocate (Crl.Side)

For Intervenor : M/s.Lakshmi Gopinathan, Advocate

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

PRAYER :-

For Anticipatory bail in Crime No.6 of 2021 on the file of the Respondent police.

ORDER : The Court made the following order :-

The petitioners/A1, A2, A3 and A5 apprehending arrest at the hands of the respondent police for the alleged offences punishable under Sections 498(A), 406 and 294(b) I.P.C, in Crime No.6 of 2021 on the file of the respondent police, seek anticipatory bail.

2.It is reported by the learned Government Advocate (Crl.side) that this Court, by order dated 03.03.2021, referred the matter to the Mediation and Conciliation Centre, attached to this Bench and directed the Mediation Centre to convene a Mediation between the

petitioners and the Defacto complainant. After mediation, the settlement has been arrived at between the parties.

3. Considering the facts and circumstances of the case and the fact that the dispute between the parties has been settled amicably through mediation, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions. Accordingly, this Criminal Original Petition is allowed and the petitioners are ordered to be released on bail in the event of arrest or their appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Additional Mahila Court, Madurai, on condition that the petitioners shall execute a bond for a sum of Rs.10,000/- (Rupees Ten thousand only) each with two common sureties each for a like sum to the satisfaction of the learned Magistrate concerned and on further conditions that:

(a) the petitioners and the sureties shall affix their photographs and left thumb impression in the surety bond and the learned Magistrate may obtain a copy of their Aadhaar 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 the 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/ petitioners thereafter abscond, a fresh FIR can be registered under Section 229-A IPC.

Sd/-

16/08/2021

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/ /2021

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



Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To

1. The Additional Mahila Court
Madurai.
2. The Inspector of Police
All Women Police Station
Thilagarthidal
Madurai District
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+ 1 c.c.to M/s.Lakshmi Gopinathan, Advocate SR.No.5432

ORDER
IN
CRL OP(MD) No.2617 of 2021
Date :16/08/2021

SP/JC/SAR III/01/09/2021/3P/5C