



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Wednesday, the First day of July Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice K.KALYANASUNDARAM

CRL OP(MD) No.10135 of 2015

V.KARTHIKEYAN

... PETITIONER / SOLE ACCUSED

Vs

THE STATE REP.BY THE INSPECTOR OF POLICE
THALLAKULAM POLICE STATION, MADURAI CITY,
CRIME NO.684 OF 2015.

... RESPONDENT / COMPLAINANT

For Petitioner : M/S. PERU. NAGARAJAN Advocate

For Respondent : M/S.K.V.RAJARAJAN Govt. Advocate (Crl. Side)

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

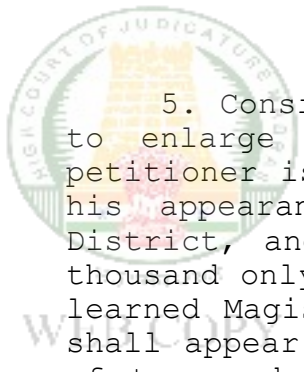
ORDER : The Court Made the following order :-

The petitioner, who is arrayed as the sole accused, in Crime No.684 of 2015 on the file of the respondent police apprehends arrest at the hands of the respondent police for the alleged offence punishable under Sections 427, 448, 380, 294(b), 323 and 506(ii) IPC and hence, seeks anticipatory bail.

2.According to the defacto complainant, the accused had trespassed into her house by breaking open main door and took away her jewels, documents and certificates.

3.The learned counsel for the petitioner submitted that the defacto complainant is none other than the wife of this petitioner and due to matrimonial dispute the petitioner filed a divorce petition in H.M.O.P.No.234 of 2012 before the Sub Court, Melur and the same was allowed on 30.07.2014. It is further submitted that a private complaint in M.C.No. 11 of 2013 was filed before the Mahila Court, Madurai, for Domestic Violence Act. The learned counsel for the petitioner submitted that the petitioner is an innocent person and he has been falsely implicated in this case. It is further submitted that the petitioner and the defact complainant have appeared before the Mediation centre at Madurai and the defacto complainant made an endorsement to the effect that she is not willing for compromise.

4.The learned Government Advocate(Crl.side) appearing for the State submitted that the divorce petition is still pending and the defacto complainant is the first wife of this petitioner and the petitioner had stolen the articles and also broke open the door.



5. Considering the facts and circumstances of the case, I am inclined to enlarge the petitioner on anticipatory bail. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance before the learned Judicial Magistrate No.II, Madurai District, and on executing a bond for a sum of Rs.10,000/- (Rupees ten thousand only) with two sureties for a like sum to the satisfaction to the learned Magistrate concerned and on further condition that the petitioner shall appear before the respondent police daily at 10.00 a.m for a period of two weeks and thereafter, as and when required. The petitioner shall comply with the condition stipulated under Section 438 Cr.P.C. Scrupulously.

6. The petitioner shall appear before the concerned Magistrate within a period of 15 days from the date on which the order copy made ready failing which, the petition for anticipatory bail stands dismissed.

sd/-
01/07/2015

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)

TO

1 THE JUDICIAL MAGISTRATE, NO.II, MADURAI DISTRICT.

2 DO THRO THE CHIEF JUDICIAL MAGISTRATE, MADURAI.

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

4 THE INSPECTOR OF POLICE
THALLAKULAM POLICE STATION, MADURAI CITY.

+1. CC to M/S. PERU. NAGARAJAN Advocate SR.No. 35075.

TS/02.07.2015/2P -6C

ORDER
IN
CRL OP(MD) No.10135 of 2015
Date :01/07/2015