



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

Monday, the Tenth day of August Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice K.KALYANASUNDARAM

CRL OP(MD) No.11101 of 2015

M. BALASUBIRAMANIAN

... PETITIONER / ACCUSED

Vs

THE STATE REP.BY
THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION, MELUR,
MADURAI DISTRICT
CRIME NO.65 OF 2015

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.V.KANNAN Advocate

For Respondent : MRS.S.PRABHA, Govt. Advocate (Crl. Side)

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

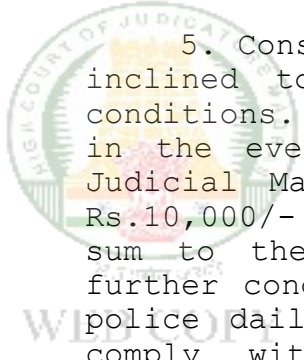
ORDER : The Court Made the following order :-

The petitioner, who is arrayed as accused No.1, apprehends arrest at the hands of the respondent police for the alleged offence punishable under Sections 294(b), 509, 506(i) and 120 of I.P.C. in Crime No.65 of 2015 on the file of the respondent police and hence, seeks anticipatory bail.

2. According to the de-facto complainant, the second accused filed H.M.O.P.No.150 of 2004 before the Sub Court, Melur against the de-facto complainant on the ground of adultery and the first accused was impleaded as second respondent in H.M.O.P.No.150 of 2004 and on 03.01.2012, the first accused filed a memo stating that the petition may be decreed without prejudice to his interest. When the same was questioned, he threatened the de-facto complainant with dire consequences.

3. The learned Counsel for the petitioner submitted that the second accused has filed H.M.O.P.No.150 of 2004 and the petitioner has not received notice from the Court and he did not engage an advocate and filed a memo on 03.01.2012. It is further submitted that the second accused had engaged some other advocate without knowledge and consent of the petitioner and obtained an ex-parte order and that is questioned by the de-facto complainant by filing a set aside petition and the matter is still pending consideration. The learned counsel for the petitioner further submitted that the petitioner is working as a Police Constable and after lapse of three years, this complaint was filed only on 13.06.2015.

<https://hcservices.courts.gov.in/hcservice/> learned Government Advocate (Crl.side)



5. Considering the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions. Accordingly, the petitioner is ordered to be released on bail in the event of his arrest or on his appearance before the learned Judicial Magistrate, Melur and on his executing 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 learned Magistrate concerned and on further condition that the petitioner shall appear before the respondent police daily at 10.00 a.m. until further orders. 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/-
10/08/2015

/ TRUE COPY /

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

TO

1. THE JUDICIAL MAGISTRATE, MELUR.
 2. THE CHIEF JUDICIAL MAGISTRATE, MADURAI.
 3. THE INSPECTOR OF POLICE, ALL WOMEN POLICE STATION, MELUR,
MADURAI DISTRICT.
 - 4 THE ADDITIONAL SUBORDINATE PROSECUTOR, MADURAI BENHC OF
MADRAS HIGH COURT, MADURAI
- +1. CC to M/S.V.KANNAN Advocate SR.No.45047

ORDER
IN
CRL OP(MD) No.11101 of 2015
Date :10/08/2015

2P/6C
AM/AMF/SAR-11/12.08.2015.