



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

Monday, the Fourteenth day of September Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice K.KALYANASUNDARAM

WEB COPY

CRL OP(MD) No.12831 of 2015

S.M.B.MUJIPUR RAHMAN

... PETITIONER / ACCUSED NO.1

Vs

THE STATE REP.BY

THE SUB INSPECTOR OF POLICE

ALL WOMEN POLICE STATION, THIRUCHENDUR,

THOOTHUKUDI DIST.

CRIME NO. 9 OF 2014. ... RESPONDENT/ COMPLAINANT

For Petitioner : M/S.C.CHRISTOPHER Advocate

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

For Intervenor : MR.R.ALAGUMANI,ADVOCATE

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

ORDER : The Court Made the following order :-

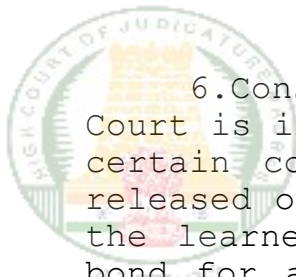
The petitioner, who is arrayed as A1, apprehends arrest at the hands of the respondent Police for the alleged offences punishable under Sections 498(A) and Section 4 of Dowry Prohibition Act, on the file of the respondent Police and hence, seeks anticipatory bail.

2.According to the de facto complainant, at the time of marriage 10 sovereigns of gold jewels and Rs.80,000/- cash were given as dowry to the accused and thereafter, he demanded additional dowry of Rs.3 lakhs to start new business and harassed her.

3.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 already co-accused were granted anticipatory bail.

4.The learned counsel for the intervenor submitted that the de facto complainant is having a daughter aged 4½ years old. However, the petitioner / accused has not taken care to maintain his wife and daughter and therefore, he is not entitled to grant anticipatory bail.

5.The learned counsel for the petitioner submitted that the petitioner has given Rs.2 lakhs to the minor child for interim maintenance, which is not disputed by the learned counsel for the intervenor.



6. 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 arrest or on his appearance before the learned Judicial Magistrate, Thiruchendur, and on 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 am until further orders. The petitioner shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously.

7. 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/-

14/09/2015

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE,
THIRUCHENDUR.
- 2 THE CHIEF JUDICIAL MAGISTRATE
THOOTHUKUDI.
- 3 THE ADDL PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- 4 THE SUB INSPECTOR OF POLICE
ALL WOMEN POLICE STATION, THIRUCHENDUR,
THOOTHUKUDI DIST.

+1. CC to M/S.C.CHRISTOPHER Advocate SR.No.54239
+1. CC to M/S.C.CHRISTOPHER Advocate SR.No.54720

ORDER

IN

CRL OP(MD) No.12831 of 2015

Date :14/09/2015

RG.15.09.2015/GSV/PM/SAR-I 2P/7C.