



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

Tuesday, the Fourteenth day of July Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice K.KALYANASUNDARAM

CRL OP(MD) No.13210 of 2015

SUYAMBULINGAM

... PETITIONERS / ACCUSED NO.1

Vs

STATE REP.BY

THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION, NAGERCOIL,
KANYAKUMARI DT, CRIME NO.7/2012

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.S.PALANI VELAYUTHAM Advocate

For Respondent : MR.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/A1 apprehends arrest at the hands of the respondent police in pursuance of the Non Bailable Warrant issued in C.C.No.163 of 2013 for the alleged offence punishable under Sections 498(A), 406, 120 (b) of IPC and Sections 3,4 and 6 of Dowry Prohibition Act on the file of the Judicial Magistrate No.II, Nagercoil, Kanyakumari District and hence, seeks anticipatory bail.

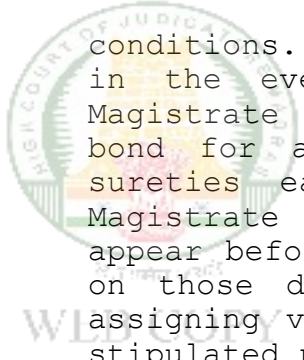
2.The learned counsel for the petitioner submitted that the marriage between the petitioner and the defacto complainant was solemnized on 22.11.2009 and thereafter both were living in Australia and due to matrimonial dispute, the defacto complainant came down to India and also filed H.M.O.P.No.55 of 2012 against this petitioner seeking divorce. It is further submitted that the Sub Court, Kulithurai, allowed the application on 10.04.2015 and in the judgment, the learned Judge has observed that the defacto complainant has received the entire articles from her father-in-law as per Ex.P.2.

3. The learned counsel further submitted that the case was registered in the year 2012 and after completing investigation, the respondent laid charge sheet, which was taken on file as C.C.No.254 of 2012 and thereafter, the case was split up and the petitioner is facing the trial in C.C.No.163 of 2013 and due to non-appearance, Non Bailable Warrant was issued against him. The learned counsel further submitted that the petitioner is an innocent person and he has been falsely implicated in this case.

4.Heard the learned Government Advocate(Crl.side) appearing for the State.

<https://hcservices.ecourts.gov.in/hcservices/>

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 arrest or on his appearance before the Judicial Magistrate No.II, Nagercoil, Kanyakumari District, 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 trial Court for all hearing dates without fail, except on those days by filing a petition under Section 317 of Cr.P.C, by assigning valid reasons. 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/-
14/07/2015

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE NO.II
NAGERCOIL
- 2 -DO-THRO THE CHIEF JUDICIAL MAGISTRATE
KANYAKUMARI DISTRICT
- 3 THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION, NAGERCOIL,
KANYAKUMARI DIST
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.S.PALANI VELAYUTHAM Advocate SR.No.38738

Sm:KBM:16.07.2015:2P/6C

ORDER
IN
CRL OP(MD) No.13210 of 2015
Date :14/07/2015