



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

Wednesday, the Twenty Eighth day of January Two Thousand Fifteen
PRESENT

The Hon`ble Mr.Justice P.N.PRAKASH

CRL OP(MD) No.1380 of 2015

WEB COPY

J.SURESH BABU

... PETITIONER/ACCUSED NO.2

Vs

STATE.REP.BY

THE INSPECTOR OF POLICE

ALL WOMEN POLICE STATION, ARUPPUKOTTAI,
VIRUDHUNAGAR DISTRICT.

CR. NO.11/2013.

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.S.SAMUEL JAMES DEVASAGAYAM Advocate

For Respondent : MR.A.P.BALASUBRAMANI, Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offences punishable under Sections 498(A), 406, 494 and 506(i) of Indian Penal Code and Section 4 of Dowry Prohibition Act in Crime No.11 of 2013 on the file of the respondent police, seeks anticipatory bail.

2. It is the case of the prosecution that the first accused in this case, namely Saravanakumar got married to the *defacto* complainant on 17.05.1998. They have a female child. Their matrimonial life ran into rough weather and they have got estranged. Thereafter, the *defacto* complainant lodged a complaint before the learned Judicial Magistrate, Aruppukkottai, who directed the police to register the case under Section 156(3) of the Code of Criminal Procedure, 1973. It is seen that this petitioner and other co-accused were earlier granted anticipatory bail by this Court in Crl.O.P.(MD)No.3901 of 2013, on 07.03.2013. In that anticipatory bail application, the name of this petitioner was inadvertently given as '**J.Sureshbabu Pandiammal**'. Whereas, the name of this petitioner is '**J.Suresh Babu**'. Hence, the second anticipatory bail application has been filed in respect of this this petitioner alone.

3. Taking into consideration the facts and circumstances of the case, this Court is inclined to grant Anticipatory Bail to the petitioner herein. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate, Aruppukkottai, Virudhunagar District on condition that the petitioner shall execute 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 respondent police or the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further condition that:

[a] the petitioner shall report before the respondent police as and



when required for interrogation.

[b] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[c] the petitioner shall not abscond either during investigation or trial.

[d] On breach of any of the aforesaid conditions, the learned Judicial Magistrate/Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the conditions have been imposed and the petitioner released on bail by the learned Judicial 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]**.

sd/-

28/01/2015

/ TRUE COPY /

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

TO

1 THE JUDICIAL MAGISTRATE,
ARUPPUKOTTAI, VIRUDHUNAGAR DISTRICT.

2 DO-THRO' THE CHIEF JUDICIAL MAGISTRATE,
VIRUDHUNAGAR DISTRICT AT SRIVILLIPUTHUR.

3 THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION, ARUPPUKOTTAI,
VIRUDHUNAGAR DISTRICT.

4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.S.SAMUEL JAMES DEVASAGAYAM Advocate SR.No.3606

ORDER

IN

CRL OP(MD) No.1380 of 2015

Date :28/01/2015

PA/30.01.15/2P/6C