



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

Monday, the Sixteenth day of November Two Thousand Fifteen

PRESENT

The Hon`ble Ms.Justice V.M.VELUMANI

CRL OP(MD) No.16178 of 2015

RAMASAMY

... PETITIONER/ ACCUSED No.1

Vs

THE STATE REP.BY THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION, ODDANCHATHIRAM,
DINDIGUL DISTRICT, CR.NO.5/2015

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.J.ANANDKUMAR Advocate

For Respondent : Mr.K.Anbarasan Government Advocate (Crl.Side)

PETITION FOR BAIL Under Sec. 439 Cr.P.C.

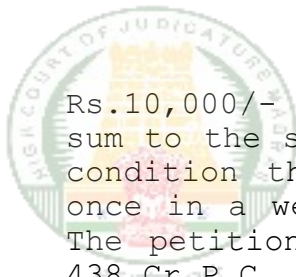
ORDER : The Court Made the following order :-

The petitioner, who is arrayed as accused No.1, in Crime No.5 of 2015 on the file of the respondent police, apprehends arrest at the hands of the respondent police for the alleged offences punishable under Sections 494, 294(b) and 506(ii) of the Indian Penal Code and Section 4 of TNPWH Act and hence, seeks anticipatory bail.

2. The case of the prosecution is that the defacto complainant gave a complaint that the marriage between the petitioner and defacto complainant was solemnized on 17.02.2006 and a male child was born and he is studying 3rd standard. The defacto complainant came to know that the petitioner married one Suriya and when the defacto complainant questioned about the second marriage, she was threatened with dire consequences and therefore, she has given a complaint against the petitioner.

3. The case of the petitioner is that the petitioner is an innocent person and no such occurrence, as alleged by the defacto complainant, had taken place. He would further submit that the defacto complainant left the matrimonial home on her own volition without any reason and even in the panchayat by the elders, she did not return to matrimonial home. The petitioner filed H.M.O.P.No.156 of 2014 on the file of the Sub Court, Palani for divorce and the same is pending. After receiving notice in the H.M.O.P, the defacto complainant has given this complaint to harass the petitioner.

4. 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, Oddanchathiram 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 once in a week (ie) on every Monday at 10.00 a.m., until further orders. The petitioner shall comply with the conditions stipulated under Section 438 Cr.P.C. scrupulously.

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5. 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/-
16/11/2015

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)

TO

- 1 THE JUDICIAL MAGISTRATE, ODDANCHATHIRAM.
 - 2 DO THRO THE CHIEF JUDICIAL MAGISTRATE, DINDIGUL
 - 3 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI
 - 4 THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION, ODDANCHATHIRAM, DINDIGUL DISTRICT.
- +1. CC to M/S.J.ANANDKUMAR Advocate SR.No.65559.

TS/18.11.2015/2P-6C/GSV-PM/SAR II

ORDER IN
CRL OP(MD) No.16178 of 2015
Date :16/11/2015