



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Friday, the Twenty Eighth day of August Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice K.KALYANASUNDARAM

CRL OP(MD) No.16491 of 2015

PANDIARAJAN

..PETITIONER/SOLE ACCUSED

Vs.

THE STATE REP THE INSPECTOR OF POLICE,
SATTUR TOWN POLICE STATION,
VIRUTHUNAGAR DISTRICT.
IN CRILME NO 513 OF 2015

..RESPONDENT/COMPLAINANT

For Petitioner : M/S G.MARIMUTHU Advocate

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

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

ORDER : The Court Made the following order :-

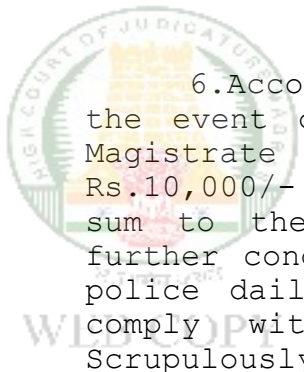
The petitioner, who is arrayed as sole accused apprehends arrest at the hands of the respondent police for the alleged offence punishable under section 174 Cr.P.C @ 306 of IPC, in Crime No.513 of 2015 on the file of the respondent police and hence, seeks anticipatory bail.

2.The case of the prosecution is that the accused married the deceased on 28.10.2012 and they were having a child aged about 1-1/2 years and on the date of occurrence, the accused wanted to go his parents house along with his wife and children, which was objected by the deceased and subsequently, a quarrel arose between them and thereafter, she committed suicide by hanging herself in a ceiling fan.

3.The learned counsel for the petitioner submitted that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. The learned counsel further submitted that neither in the FIR nor in the report filed by the RDO, there is no allegation of dowry demand or harassment. It is further submitted that the complaint was given by the mother of the deceased only on suspicion and even during the enquiry conducted by the RDO, they have not alleged the demand of dowry. The learned counsel further submitted that the ingredients for the offence of 306 of IPC are not made out in this case and hence, the petitioner's anticipatory bail petition may be considered.

4.The learned Government Advocate (Criminal side) appearing for the respondent submitted that the marriage between the deceased and the petitioner was solemnised only in October 2012 and in a family quarrel, she committed suicide.

5.Considering the above facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.



6. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance before the learned Judicial Magistrate No.II, Sattur 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.

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/-

28/08/2015

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)

TO

1 THE JUDICIAL MAGISTRATE NO.II, SATTUR, VIRUDHUNAGAR DISTRICT.

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

3 THE ADDL. PUBLIC PROSECUTOR, MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

4 THE INSPECTOR OF POLICE, SATTUR TOWN POLICE STATION,
VIRUDHUNAGAR DISTRICT.

+1. CC to M/S G.MARIMUTHU Advocate SR.No.49953

ORDER IN

CRL OP(MD) No.16491 of 2015

Date : 28/08/2015

PBK/MPA-AAL/SAR-II 01/09/2015 :: 2P-6C::