



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

Thursday, the Fifth day of February Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice P.N.PRAKASH

CRL OP(MD) No.1987 of 2015

1 A.STEPHEN JEBAKUMAR

2 P.ARUPHTHANANTHAM

... PETITIONERS/ ACCUSED NO.1 & 2

Vs

THE STATE REP.BY

THE INSPECTOR OF POLICE

ALL WOMEN POLICE STATION, KOVILPATTI,

THOOTHUKUDI DISTRICT.C R. NO.4/2015. ... RESPONDENT/ COMPLAINANT

For Petitioner : M/S.G.ANBU SARAVANAN Advocate

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

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

ORDER : The Court Made the following order :-

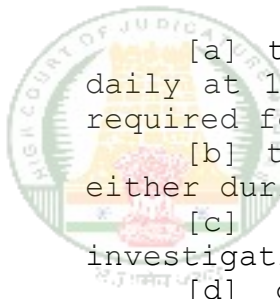
Apprehending arrest at the hands of the respondent police for the alleged offences punishable under Sections 294(b), 406 IPC and Section 4 of the Tamil Nadu Prohibition of Harassment of Women Act in Crime No.4 of 2015 on the file of the respondent police, the petitioners have come forward with this petition seeking anticipatory bail.

2.Learned Government Advocate (Criminal Side) Submits that there is no case registered against the 2nd petitioner. Hence this petition is dismissed as against the 2nd petitioner.

3.The first petitioner got married to the de facto complainant on 26.09.2005 and they have two children through the wedlock. It is alleged by the de facto complainant that the first petitioner has pledged 10 sovereigns of gold.

4.It is seen that the petitioner and the de facto complainant married ten years ago and during the subsistence of their marriage, they had pledged this jewels for raising Housing Loan. It is also seen that the first petitioner has filed a divorce petition in IDOP.No.410/04 before the Principal District Court, Tuticorin.

5.Under such circumstances, I am inclined to grant anticipatory bail to the first petitioner. Accordingly, the first petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen (15) days from the date of receipt of a copy of this order, before the learned Judicial Magistrate No.I, Kovilpatti, on executing a separate 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 <https://hse.reserved.gov.in/services/> or the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further condition that,



[a] the first petitioner shall report before the respondent/Police daily at 10.30 a.m. for a period of two weeks and thereafter as and when required for interrogation;

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

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

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

[e] The Inspector of Police concerned is directed to send a compliance report to the Office of the learned Government Advocate (Criminal side), as to whether the first petitioner is complying with the order or not.

sd/-
05/02/2015

/ TRUE COPY /

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

TO

1.THE JUDICIAL MAGISTRATE NO.I,KOVILPATTI.

2.DO THRO THE CHIEF JUDICIAL MAGISTRATE, THOOTHUKUDI.

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

4.THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION, KOVILPATTI,
THOOTHUKUDI DISTRICT.

+1. CC to M/S.G.ANBU SARAVANAN Advocate SR.No.5532

ORDER
IN
CRL OP(MD) No.1987 of 2015
Date :05/02/2015

RG.06.02.2015

2P.6C.