



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

Wednesday, the Ninth day of December Two Thousand Fifteen

PRESENT

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

CRL OP(MD) No.20490 of 2015

WEB COPY

ARULRAJ

... PETITIONER/SOLE ACCUSED

Vs.

THE STATE OF TAMIL NADU REP.BY
THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION, TIRUNELVELI.
CR. NO. 12 OF 2013

... RESPONDENT/COMPLAINANT

For Petitioner : M/S M.SANKAR Advocate

For Respondent : MR.K.ANBARASAN, Govt. Advocate (Crl. Side)

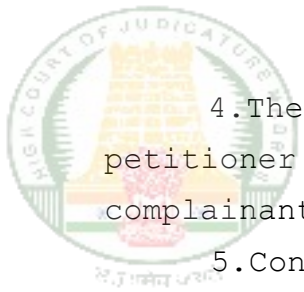
PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

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 offences punishable under Sections 498(A), 406 and 506(ii) of IPC and Section 4 of Dowry Prohibition Act, in Crime No.12 of 2013 on the file of the respondent police and hence, seeks anticipatory bail.

2.The case of the prosecution is that the marriage between the petitioner and the defacto complainant was solemnized in the year 2004 and two children were born in the wedlock. After the marriage, the petitioner harassed the defacto complainant by demanding dowry. Therefore, she gave a complaint before the respondent police and there was no action by respondent police. Subsequently, the defacto complainant filed a petition under Section 156(3) Cr.P.C., before the learned Judicial Magistrate No.I, Tirunelveli and the learned Judge directed the respondent police to register the case. Thereafter, the case has been registered for the above said offences.

3.The case of the petitioner is that he is an innocent person and he has not committed any offence as alleged by the prosecution. The defacto complainant herself left the matrimonial home within 7 days from the date of marriage. The petitioner convinced the defacto complainant and brought her to the matrimonial home and lived a peaceful life. Due to the misunderstanding and at the instigation of the family members of the defacto complainant, again she left the matrimonial home and gave a false complaint against the petitioner.



4.The learned Government Advocate (Crl.Side) submitted that the petitioner has demanded more dowry and tortured the defacto complainant.

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 learned Judicial Magistrate No.I, Tirunelveli 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 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.

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/-
09/12/2015

/ TRUE COPY /

Sub-Assistant Registrar

TO

- 1 THE JUDICIAL MAGISTRATE NO.I, TIRUNELVELI.
- 2 -DO- THRO' THE CHIEF JUDICIAL MAGISTRATE, TIRUNELVELI.
- 3 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- 4 THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION, TIRUNELVELI.

+1. CC to M/S M.SANKAR Advocate SR.No.71130

Akm/11.12.2015/ 2p- 6c/SKN/SK/SAR-I

ORDER
IN
CRL OP(MD) No.20490 of 2015
Date :09/12/2015