



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

Friday, the Twenty Seventh day of February Two Thousand Fifteen
PRESENT

The Hon`ble Mr Justice P.N.PRAKASH

CRL OP(MD) No.2697 of 2015

WEB COPY

ANTHONY DHASON

... PETITIONER/SOLE ACCUSED

Vs

THE STATE REP BY
THE INSPECTOR OF POLICE
SUCHINDRUM POLICE STATION,
KANYAKUMARI DT,
CRIME NO.28/2015

... RESPONDENT/COMPLAINANT

For Petitioner : M/S. K. VAMANAN Advocate

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

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

ORDER : The Court Made the following order :-

The petitioner, who was arrested and remanded to judicial custody on 19.01.2015 for the offence punishable under Sections 498 (A), 306 IPC in Crime No.28 of 2015 on the file of the respondent police, seeks bail.

2.Heard the learned counsel for the petitioner.

3. The case of the prosecution is that the victim got married to the petitioner on 03.06.2013 and there appears to have been matrimonial discord between them and on 18.01.2015, she committed suicide by self immolation and she has also given a dying declaration not implicating any one. This petitioner was arrested on 19.01.2015 and is incarceration since then. The Revenue Divisional Officer's enquiry was also over and the report discloses that there is no allegation of dowry death. Under such circumstances, this Court is inclined to grant bail to him, but with conditions.

4. Accordingly, the petitioner is ordered to be released on bail 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 Judicial Magistrate, No.III, Nagercoil, and on further condition that:

[a] the petitioner shall report before the respondent police everyday daily at 6.30p.m. for a period of two weeks and thereafter 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 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 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, as to whether these petitioner is complying with the condition or not.

sd/-

27/02/2015

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE, NO.III, NAGERCOIL
- 2 -DO-THRO'THE CHIEF JUDICIAL MAGISTRATE
KANYAKUMARI AT NAGERCOIL
- 3 THE INSPECTOR OF POLICE SUCHINDRUM POLICE STATION,
KANYAKUMARI DT,
- 4 THE OFFICER-IN-CHARGE DISTRICT JAIL, NAGERCOIL
- 5 THE ADDL.PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S. K. VAMANAN Advocate SR.No.9401

ORDER

IN

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Date :27/02/2015

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