



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

Wednesday, the Eighteenth day of March Two Thousand Fifteen

PRESENT

THE HON`BLE MR JUSTICE P.N.PRAKASH

CRL OP(MD) No.3334 of 2015

DURAISAMY

... PETITIONERS/ACCUSED RANK NOT KNOWN

Vs

THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION, MANAPARAI,
TRICHY DISTRICT.
CR.NO.NOT KNOWN OF 2015

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.K.BAALASUNDARAM 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 :-

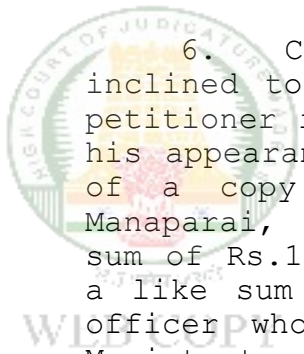
The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offence punishable under Sections 294(b), 323, 498 (A) and 506(i) I.P.C r/w Section 4 of Dowry Prohibition Act in Crime No.Not Known of 2015 on the file of the respondent police, seeks anticipatory bail.

2. Heard the learned counsel for the petitioner and the learned Government Advocate(Crl. Side) for the State.

3. No regular case has been registered and only a petition enquiry in C.S.R.No.314 of 2014 is pending before the respondent police. Hence, this Court granted interim anticipatory bail to the petitioner with a direction to the petitioner to appear before the respondent police daily at 05.30 p.m., for a period of two weeks.

4.Today when the matter was called, the respondent police is present and a status report has been filed by Mrs.Sasi, Inspector of Police, All Women Police Station, Manapparai.

5. On a reading of the status report it appears that the Inspector of Police has conducted a very fair enquiry and has stated that the petitioner has provided Rs.8,00,000/- as maintenance to his wife and daughter, in spite of which, his wife is not willing to live with the petitioner and that she is demanding Rs.20,00,000/- as lump sum from the petitioner. This Court places on record its appreciation to Mrs.Sasi, Inspector of Police, All Women Police Station, Manapparai for the manner in which she has conducted enquiry in the case.



6. Considering the facts and circumstances of the case, I am inclined to grant anticipatory bail to the petitioner. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate, Manapparai, on condition that the petitioner shall execute 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 respondent police or the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further condition that:

[a] the petitioner shall report before the respondent police 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].

8. In the event of the respondent police registering a regular case, this anticipatory bail granted to the petitioner will enure to the benefit of the petitioner and he need not apply for fresh anticipatory bail.

sd/-
18/03/2015

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)

TO

1. THE JUDICIAL MAGISTRATE, MANAPPARAI.
2. -DO- THRO THE CHIEF JUDICIAL MAGISTRATE, TRICHY.
3. THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION, MANAPARAI, TRICHY DISTRICT.
4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.K.BAALASUNDARAM Advocate SR.No. 13120

SR : 20.03.2015 : 2P/6C

ORDER
IN
CRL OP(MD) No.3334 of 2015
Date :18/03/2015