



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

Thursday, the Twelfth day of March Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice P.N.PRAKASH

CRL OP(MD) No.4590 of 2015

KUMAR

... PETITIONER /SOLE ACCUSED

Vs

THE STATE REP.BY
THE INSPECTOR OF POLICE
KADAMANOOR POLICE STATION,
THENI DISTRICT.
(CRIME NO. 59 OF 2015)

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.B.JEYAKUMAR 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 Section 366 IPC, in Crime No.59 of 2015, on the file of the respondent police, seeks anticipatory bail.

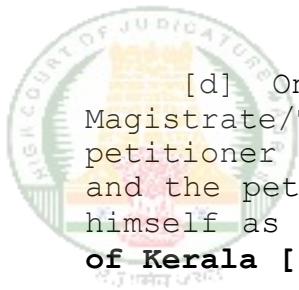
2. The case of the prosecution is that this petitioner had eloped with the wife of the *de facto* complainant and thereafter, she had returned back on 09.03.2015. When she was produced before the learned Judicial Magistrate concerned, she has stated that unable to withstand the cruelty meted out to her by the defacto complainant she had gone, on her own accord, to her relatives' house.

3. Considering the above, 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, Judicial Magistrate, Andipatti, Theni District, 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.

<https://hcservices.ecourts.gov.in/hcservices/> 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]**.

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12/03/2015

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

TO

1.THE JUDICIAL MAGISTRATE,
ANDIPATTI, THENI DISTRICT.

2.DO THRO THE CHIEF JUDICIAL MAGISTRATE, THENI.

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

4.THE INSPECTOR OF POLICE
KADAMANOOR POLICE STATION, THENI DISTRICT.

+1. CC to M/S.B.JEYAKUMAR Advocate SR.No.12329

ORDER
IN
CRL OP(MD) No.4590 of 2015
Date :12/03/2015

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