



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.4635 of 2015

WEB COPY

MURUGAN

... PETITIONER / ACCUSED No.1

Vs

THE STATE REP.BY
THE INSPECTOR OF POLICE,
CHERANMAHADEVI POLICE STATION,
TIRUNELVELI DISTRICT.
CRIME NO.12/2012

... RESPONDENT / COMPLAINANT

For Petitioner : MR.M.JEGADEESHPANDIAN, Advocate
for M/S.K.J.ASSOCIATES Advocate

For Respondent : M/S.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), 448, 354, 506(ii), 379(NP) and 509 IPC, in Crime No.12 of 2012 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the *de facto* complainant is the wife of this petitioner and they got married on 12.12.2010 and they were living together and thereafter, their matrimonial life ran into rough weather and the present complaint has been lodged by the *de facto* complainant alleging that the petitioner had taken away certain properties. The date of occurrence is 13.01.2012 and the complaint was lodged on 14.01.2012. The co-accused, in this case, have been granted Anticipatory Bail in Crl.OP[MD].No.2183 of 2012, dated 29.03.2012. From the year 2012, the case has been pending and no effective steps have been taken to complete the investigation.

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, Cheranmahadevi, Tirunelveli, 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 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 daily at 06:30 in the evening for a period of four weeks and thereafter as and when required for interrogation.

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

WEB COPY [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]**.

The Inspector of Police concerned is directed to send compliance report to the office of the learned Additional Public Prosecutor whether the petitioner is complying with the order or not.

sd/-
12/03/2015

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE, CHERANMAHADEVI, TIRUNELVELI DISTRICT.
- 2 -DO-THRO' THE CHIEF JUDICIAL MAGISTRATE, TIRUNELVELI.
- 3 THE INSPECTOR OF POLICE, CHERANMAHADEVI POLICE STATION, TIRUNELVELI DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR, MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.K.J.ASSOCIATES, Advocate SR.No.12169.

ORDER IN
CRL OP(MD) No.4635 of 2015
Date :12/03/2015

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