



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

Thursday, the Nineteenth day of March Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice P.N.PRAKASH

CRL OP(MD) No.4690 of 2015

A.A.SARAVANAN

... PETITIONER / ACCUSED NO.1

Vs

THE STATE REP.BY
THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION,
MADURAI CITY,
MADURAI.
(CRIME NO. 11 OF 2014)

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.C.M.MARI CHELLIAH PRABHU 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 :-

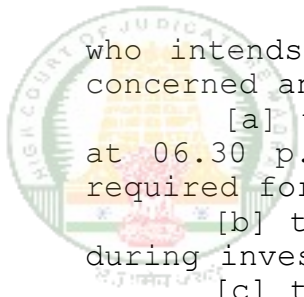
The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offences punishable under Sections 498(A), 406 and 506(ii) IPC and Section 4 of Dowry Prohibition Act, 1961 in Crime No.11 of 2014 on the file of the respondent police, seeks anticipatory bail.

2. This is the second anticipatory bail application and the first anticipatory bail application was dismissed by this Court in Crl.O.P.(MD) No.16766 of 2014, on 03.02.2015.

3. The learned counsel for the petitioner submits that after the dismissal of the first anticipatory bail application, the Social Welfare Officer had conducted enquiry and a report dated 11.03.2015 has been sent to the police.

4. This Court called for the report from the Case Diary and found that the Social Welfare Officer has stated that the *defacto* complainant and the petitioner are not co-operating for the enquiry and that on 18.02.2015, both of them appeared before the Officer and in the course of enquiry, it was found that the dispute is essentially a domestic quarrel between the petitioner and the *defacto* complainant and there was no material to infer that there was any dowry demand.

5. Under such circumstances, this Court is 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 No.I, Madurai, 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 daily at 06.30 p.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 (Criminal side), whether the petitioner is complying with the order or not.

sd/-
19/03/2015

/ TRUE COPY /

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

TO

1.THE JUDICIAL MAGISTRATE NO.I,MADURAI.

2.DO THRO THE CHIEF JUDICIAL MAGISTRATE MADURAI.

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

4.THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION,
MADURAI CITY,MADURAI.

ORDER
IN
CRL OP(MD) No.4690 of 2015
Date :19/03/2015

rg.24.03.2015 2p.5c.